	Case 7:07-cv-02861-CS Decumen	† 21-5	Filed 09/02/2008 Page 1 of 53
	81		83
1	Catherine Magone	1	Catherine Magone
ини Z	that were trained?	11000HW 2	of this date.)
3	A. I don't know.	15,00,000 3	Q. I'm going to show you what's been
. 4	Q. Do you know how long the training	начани 4	marked Plaintiff's Exhibit 2 for identification.
5	took place?	11#еви 5	Do you recognize that document?
, section 6	A. I don't know.	11:04:2400 6	A. Sure.
\$1417 # 7	Q. Do you know where it took place?	519427AP 7	Q. What do you recognize it to be?
8 سنمعيون -	A. I don't know.	11013841 8	A. A note to my file.
9 4400.70	Q. Do you know apart from this per	пайагін 9	Q. The first sentence, the first full
ыны 10	diem nurse anyone involved in that training?	прилинг 10	sentence, of that document there is a date of
±π### 11	A. No.	проде 11	8/15/06: "I met with Carole Newmark today to
12 minum	Q. Did you assign anyone to this	11 messa 12	inform her of my decision to appoint Nicole
.∞em 13	training?	1100.00	Serra the social worker for the palliative care
пиции 14	A. No.	1100ismi 14	service." Do you see that?
15 was	Q. Do you know whether Nicole Serra	1130150AM 15	A. Mm-hmm.
16 page 1	was trained?	110150AH 16	Q. Do you want to change your earlier
1,000mm 17	A. No.	17 17 19 19 19 19 19 19 19 19 19 19 19 19 19	response?
18 LUZINGAM	Q. Do you know whether any of your	1150300 18	A. Yes.
19 minim	nurses under your supervision were?	13##М 19	Q. And how would you like to change
120mm 20	A. No, none of them were.	1154им 20	that?
1920 miles	Q. Did you see any writing in	1135abu 21	A. All right. I told Carole that I
100 mars	connection with completing this training?	11:SE:17AK 22	was going to appoint Nicole to the palliative
1 may 23	A. I don't even know if it's been	113622Ag 23	care service.
1500mm 24	completed to be honest.	110522AN 24	Q. So when you testified before it was
1250mz 25	MS. NICAJ: I'm going to call		not true, is that right?
	COMPU-TRAN SHORTHAND REPORTING		COMPU-TRAN SHORTHAND REPORTING
	82		84
1	Catherine Magone	1	Catherine Magone
1073564 2	for production of documents in connection	11.55	A. Well, semantics.
чиотии З	with this program and the training of the	11:05:21-41. З	Q. What do you mean?
termer 4	trainer and so forth.	11:06:20:44 4	A. Because the palliative care
5	-DOCUMENT/DATA REQUESTED: All documents	пили 5	service, even though I was appointing her with
	concerning disaster training program.	11003444 6	the palliative care, that would not mean that
162 KAM 7	MR. KEIL: I'll take it	11989644 7	Carole would not be involved with palliative
1182:05AM 8	under advisement.	112марды 8	care. Her patients needed palliative care; she
(maren 9		-	care: tree patients needed pamative care; she
	Q. You indicated that more than one	11,4644 9	
:10 pressure	Q. You indicated that more than one person would be assigned to the palliative care		would be expected to be a part of the palliative care program.
10 manual 11	•	11:00:00 9	would be expected to be a part of the palliative
	person would be assigned to the palliative care	11,000,000 10	would be expected to be a part of the palliative care program.
тапа 11	person would be assigned to the palliative care service as a social worker, is that right?	11,000,000 10 11,000,000 11	would be expected to be a part of the palliative care program. Q. Is that contained anywhere in Plaintiff's Exhibit 2 for identification?
11 marium 12	person would be assigned to the palliative care service as a social worker, is that right? A. More than one person could be	1135-244 9 1135-444 10 1105-444 11 1135-374 12	would be expected to be a part of the palliative care program. Q. Is that contained anywhere in Plaintiff's Exhibit 2 for identification? A. I don't know what you mean.
12 12 13 14 15 15 15 15 15 15 15 15 15 15 15 15 15	person would be assigned to the palliative care service as a social worker, is that right? A. More than one person could be involved in palliative care.	113644 9 1105944 10 1105944 11 113644 12 113644 13	would be expected to be a part of the palliative care program. Q. Is that contained anywhere in Plaintiff's Exhibit 2 for identification? A. I don't know what you mean. Q. You just testified that Carole
12 12 13 14 14 14 14 14 14 14 14 14 14 14 14 14	person would be assigned to the palliative care service as a social worker, is that right? A. More than one person could be involved in palliative care. Q. Whether they could be, did you, in	11.05.03.04 9 11.05.04.04 1.0 11.05.04.04 1.1 11.05.04.04 1.2 11.05.04.04 1.3 11.05.04.04 1.4	would be expected to be a part of the palliative care program. Q. Is that contained anywhere in Plaintiff's Exhibit 2 for identification? A. I don't know what you mean. Q. You just testified that Carole would be expected if any of her patients were
110-1244 11 12 123-144 13 14 15 15 16 16 16 16 16 16 16 16 16 16 16 16 16	person would be assigned to the palliative care service as a social worker, is that right? A. More than one person could be involved in palliative care. Q. Whether they could be, did you, in fact, ever advise Ms. Newmark that you were	11.005.00 9 11.005.00 10 11.005.00 11 11.005.00 12 11.005.00 14 11.005.00 15	would be expected to be a part of the palliative care program. Q. Is that contained anywhere in Plaintiff's Exhibit 2 for identification? A. I don't know what you mean. Q. You just testified that Carole would be expected if any of her patients were part of this program to be part of the to
100.12AM 11 120.12AM 12 130.12AM 14 140.12AM 15 140.12AM 16 140.12AM 16	person would be assigned to the palliative care service as a social worker, is that right? A. More than one person could be involved in palliative care. Q. Whether they could be, did you, in fact, ever advise Ms. Newmark that you were appointing Nicole Serra to the palliative care	11.005.00 9 11.005.00 10 11.005.00 11 11.005.00 12 11.005.00 15 11.005.00 15 11.005.00 16	would be expected to be a part of the palliative care program. Q. Is that contained anywhere in Plaintiff's Exhibit 2 for identification? A. I don't know what you mean. Q. You just testified that Carole would be expected if any of her patients were
100.18AM 11 122.17AM 12 123.17AM 13 123.17AM 14 120.24AM 15 120.24AM 16 120.24AM 16 120.24AM 17 120.24AM 18	person would be assigned to the palliative care service as a social worker, is that right? A. More than one person could be involved in palliative care. Q. Whether they could be, did you, in fact, ever advise Ms. Newmark that you were appointing Nicole Serra to the palliative care service?	11.00/4044 10 11.00/4044 11 11.00/4044 12 11.00/4044 13 11.00/4044 14 11.00/4044 15 11.00/4044 16 11.00/4044 17 11.00/4044 17	would be expected to be a part of the palliative care program. Q. Is that contained anywhere in Plaintiff's Exhibit 2 for identification? A. I don't know what you mean. Q. You just testified that Carole would be expected if any of her patients were part of this program to be part of the to participate in that. Is that contained anywhere
150.15AM 11 150.15AM 12 150.15AM 13 150.15AM 14 150.15AM 16 150.15AM 16 150.15AM 17 160.15AM 18 150.15AM 18	person would be assigned to the palliative care service as a social worker, is that right? A. More than one person could be involved in palliative care. Q. Whether they could be, did you, in fact, ever advise Ms. Newmark that you were appointing Nicole Serra to the palliative care service? A. No. I told her that I was sending	11.00/4044 10 11.00/4044 11 11.00/4044 12 11.00/4044 13 11.00/4044 14 11.00/4044 15 11.00/4044 16 11.00/4044 16	would be expected to be a part of the palliative care program. Q. Is that contained anywhere in Plaintiff's Exhibit 2 for identification? A. I don't know what you mean. Q. You just testified that Carole would be expected if any of her patients were part of this program to be part of the to participate in that. Is that contained anywhere in Plaintiff's Exhibit 2? A. No.
100.12AM 11 100.12AM 12 100.13AM 13 100.13AM 14 100.13AM 16 100.13AM 16 100.13AM 18 100.13AM 19 100.13AM 19	person would be assigned to the palliative care service as a social worker, is that right? A. More than one person could be involved in palliative care. Q. Whether they could be, did you, in fact, ever advise Ms. Newmark that you were appointing Nicole Serra to the palliative care service? A. No. I told her that I was sending Nicole for the training and that she would be	11.00/40/44 10 11.00/40/44 11 11.00/40/44 12 11.00/40/44 13 11.00/40/44 15 11.00/40/44 15 11.00/40/44 16 11.00/40/44 18 11.00/40/44 18 11.00/40/44 18	would be expected to be a part of the palliative care program. Q. Is that contained anywhere in Plaintiff's Exhibit 2 for identification? A. I don't know what you mean. Q. You just testified that Carole would be expected if any of her patients were part of this program to be part of the to participate in that. Is that contained anywhere in Plaintiff's Exhibit 2? A. No. MR. KEIL: She is referring
100.12AM 11 100.12AM 12 100.13AM 13 100.13AM 14 100.13AM 16 100.13AM 16 100.13AM 18 100.13AM 19 100.13AM 19	person would be assigned to the palliative care service as a social worker, is that right? A. More than one person could be involved in palliative care. Q. Whether they could be, did you, in fact, ever advise Ms. Newmark that you were appointing Nicole Serra to the palliative care service? A. No. I told her that I was sending Nicole for the training and that she would be the lead person because she was going for the	11:00:0444 10 11:00:0444 11 1:00:0444 13 11:00:044 14 11:00:044 15 11:00:044 15 11:00:044 17 11:00:044 17 11:00:044 17 11:00:044 17 11:00:044 17 11:00:044 17 11:00:044 17 11:00:044 17 11:00:044 17 11:00:044 17	would be expected to be a part of the palliative care program. Q. Is that contained anywhere in Plaintiff's Exhibit 2 for identification? A. I don't know what you mean. Q. You just testified that Carole would be expected if any of her patients were part of this program to be part of the to participate in that. Is that contained anywhere in Plaintiff's Exhibit 2? A. No. MR. KEIL: She is referring to the document in front of you.
100.12AM 11 120.12AM 12 130.12AM 14 140.12AM 15 160.12AM 16 160.12AM 16 160.12AM 17 160.12AM 19 160.12AM 19 160.12AM 20 160.12AM 20 160.12AM 21 160.12	person would be assigned to the palliative care service as a social worker, is that right? A. More than one person could be involved in palliative care. Q. Whether they could be, did you, in fact, ever advise Ms. Newmark that you were appointing Nicole Serra to the palliative care service? A. No. I told her that I was sending Nicole for the training and that she would be the lead person because she was going for the training.	11.00/02/04 10 11.00/04/04 11 11.00/04/04 13 11.00/04/04 14 11.00/04/04 15 11.00/04/04 15 11.00/04/04 15 11.00/04/04 20 11.00/04/04 21	would be expected to be a part of the palliative care program. Q. Is that contained anywhere in Plaintiff's Exhibit 2 for identification? A. I don't know what you mean. Q. You just testified that Carole would be expected if any of her patients were part of this program to be part of the to participate in that. Is that contained anywhere in Plaintiff's Exhibit 2? A. No. MR. KEIL: She is referring to the document in front of you. A. Right. No.
100-1944 11 100-1944 12 100-1944 14 100-1944 15 100-1944 16 100-1944 19 100-1944 19 100-1944 20 100-1944 20 100-1944 20 100-1944 20 100-1944 20 100-1944 20 100-1944 20	person would be assigned to the palliative care service as a social worker, is that right? A. More than one person could be involved in palliative care. Q. Whether they could be, did you, in fact, ever advise Ms. Newmark that you were appointing Nicole Serra to the palliative care service? A. No. I told her that I was sending Nicole for the training and that she would be the lead person because she was going for the training. MS. NICAJ: Can you mark	11.00/03/M 9 11.00/04/M 10 11.00/04/M 11 11.00/04/M 13 11.00/04/M 15 11.00/04/M 15 11.00/04/M 19 11.00/04/M 20 11.00/04/M 21 11.00/04/M 21	would be expected to be a part of the palliative care program. Q. Is that contained anywhere in Plaintiff's Exhibit 2 for identification? A. I don't know what you mean. Q. You just testified that Carole would be expected if any of her patients were part of this program to be part of the to participate in that. Is that contained anywhere in Plaintiff's Exhibit 2? A. No. MR. KEIL: She is referring to the document in front of you. A. Right. No. Q. You met with her in your office;
100-100 11 100-100 12 100-100 13 100-100 15 100-100 16 100-100 17 100-100 19	person would be assigned to the palliative care service as a social worker, is that right? A. More than one person could be involved in palliative care. Q. Whether they could be, did you, in fact, ever advise Ms. Newmark that you were appointing Nicole Serra to the palliative care service? A. No. I told her that I was sending Nicole for the training and that she would be the lead person because she was going for the training. MS. NICAJ: Can you mark this as Plaintiff's Exhibit 2,	11.00.00.00 9 11.00.00.00 10 11.00.00.00 11 11.00.00.00 11 11.00.00.00 11 11.00.00.00 11 11.00.00.00 12 11.00.00.00 20 11.00.00.00 20 11.00.00.00 22 11.00.00.00 22 11.00.00.00 23	would be expected to be a part of the palliative care program. Q. Is that contained anywhere in Plaintiff's Exhibit 2 for identification? A. I don't know what you mean. Q. You just testified that Carole would be expected if any of her patients were part of this program to be part of the to participate in that. Is that contained anywhere in Plaintiff's Exhibit 2? A. No. MR. KEIL: She is referring to the document in front of you. A. Right. No. Q. You met with her in your office; you told her to come over, is that right?
11 (12 (13 (13 (13 (13 (13 (13 (13 (13 (13 (13	person would be assigned to the palliative care service as a social worker, is that right? A. More than one person could be involved in palliative care. Q. Whether they could be, did you, in fact, ever advise Ms. Newmark that you were appointing Nicole Serra to the palliative care service? A. No. I told her that I was sending Nicole for the training and that she would be the lead person because she was going for the training. MS. NICAJ: Can you mark this as Plaintiff's Exhibit 2. (Plaintiff's Exhibit 2.	11.00/02/04 10 11.00/04/04 11 11.00/04/04 13 11.00/04/04 14 11.00/04/04 15 11.00/04/04 15 11.00/04/04 15 11.00/04/04 20 11.00/04/04 21 11.00/04/04 22 11.00/04/04 23 11.00/04/04 23	would be expected to be a part of the palliative care program. Q. Is that contained anywhere in Plaintiff's Exhibit 2 for identification? A. I don't know what you mean. Q. You just testified that Carole would be expected if any of her patients were part of this program to be part of the to participate in that. Is that contained anywhere in Plaintiff's Exhibit 2? A. No. MR. KEIL: She is referring to the document in front of you. A. Right. No. Q. You met with her in your office; you told her to come over, is that right?

	Case 7:07-cv-02861-CS Documen	† 21-5 - -	Filed 09/02/2908 Page 2 of 53
1	Catherine Magone	,	87
· 2	Q. Was it right away that she came	1 2	Catherine Magone
#21.w 3	over after you called her?	11.001044 3	experience at the JCC Westchester? A. I didn't believe that she was a
4	A. I believe so.	1100-1704 4	social worker at the time,
5	Q. And who spoke first?	mania 5	
a:xw. 6	A. I did.	13mmm 6	Q. Do you know whether she had any social work responsibilities?
marku 7	Q. What in words or substance did you	1199204 7	A. From what is described, I would say
SH WARE	say?	11000000 B	no.
я _{жм} 9	MR. KEIL: I'm going to	112220 9	Q. Did she advise you of such during
	object. This is all you've already	11.013144 10	the course of your interview with Ms. Serra?
_{жэгж} 11	asked this question.	1100200 11	A. Well, it appears here that she
₉₅₃₄₄ 12	MS. NICAJ: I'm permitted	13050ar 12	received her master's in social work in 2001.
	to ask it again, and I am just warning you	1130anau 13	Q. I'm asking you, did Ms. Serra
	you are violating the federal rules by	11.1000ma 14	advise you in words or substance that she had
токлям 15	making a speaking objection. So you can	110 may 15	social work responsibilities at the JCC
16 may 16	make, state your objection but that's it.	11:12:1m 16	Westchester?
1503UM 17	Go ahead.	17 mm	A. No.
1005tax 18	Q. What in words or substance did you	15 NO 1744 18	Q. Did you ask her about that? Did
·==== 19	say?	11100 19	you ask her about her experience there?
106,RAN 20	A. I told her that I was assigning	19701494 20	A. Yes.
1.01.00M 21	Nicole Serra to be the person that would be	11:00:00 21	Q. What did you ask her?
_№ 22	appointed to the palliative care service and	11:00:05:01 22	A. I would have asked her to describe
23 بست	would be traveling to Ohio with Roseanne O'Hare	11:00 23	her whatever whenever I interview
100 KW 24	and Maura Del Bene. I told her I made this	11/1922АН 24	somebody, I ask them to describe their resume.
142;em 25	decision based on input from Maura Del Bene and	11:10:m 25	Q. I'm not asking what you would have
	COMPU-TRAN SHORTHAND REPORTING		COMPU-TRAN SHORTHAND REPORTING
	86		88
1	Catherine Magone	1	Catherine Magone
10ftilia 2	Roseanne and that I felt that Carole would be	124 mm 2	done.
, waxaa	busy with her disaster mental health training	11:10:00 3	A. I don't remember.
<i>чагн</i> 4	and that Nicole being young in her career would	11:10;25;mi 4	Q. Hold on. I'm asking what do you
читами 5	need to have something that I think that she	indaw 5	recall asking her.
1 жистен	would call her own.	111 12224	A. I don't remember.
100.00m 7	Q. What do you mean, young in her	шеми 7	Q. In response to what you advised
**************************************	career? What do you mean by that?	1600 0000 8	Ms. Newmark about assigning Ms. Serra to the
ътення 9	A. She is a relatively new social	11:19:44 9	palliative care service, what, if anything, did
парацы 10	worker. She has only been working for four	51/055MM 10	she say?
⊯ 11	years, and she showed a lot of interest in the	11 шили	A. She was very angry.
12	palliative care program.	11:00000 12	Q. What did she say?
13	Q. Wasn't Ms. Newmark also relatively	n.esses 13	A. I'm very disappointed.
14 maşımı	new in the social work career as you put it?	гелійны 14	Q. Anything else?
·mmu 15	A. Twice as long.	пашки 15	A. Just visibly angry and
········ 16	MS. NICAJ: Plaintiff's	наним 16	disappointed.
	Exhibit 3.	17 mmm 17	Q. When you say visibly angry, what
18 postorial 18	(Plaintiff's Exhibit 3	(3)112 000 18	was her expression?
19	5-page Resume of Nicole Serra marked for	19	A. Anger.
20 mar	identification, as of this date.)	11:1120m 20	Q. How did that manifest itself?
21 main	Q. When you say twice as long, what do	17412SE 21	A. Huffing and puffing.
. 22 . 23	you mean by twice as long in her career?	наши 22	Q. Huffing and puffing?
	A. I believe that Nicole had four	плим 23	A. Mm-hmm,
24	years' experience.	11170W 24	Q. Can you demonstrate that for us?
25	Q. What about her counseling COMPU-TRAN SHORTHAND REPORTING	100 may 25	A. (Indicating) visibly angry. Carole COMPU-TRAN SHORTHAND REPORTING

	Case 7:07-cv-02861-CS Documen	† 21-5	Filed 09/02/2008 Page 3 of 53
	89		91
1	Catherine Magone	1	Catherine Magone
11.00mc 2	was a very angry woman.	пзими 2	show up at one?
ъщмг З		поенци З	A. No. Ten.
,, 4	Ms. Newmark, did you ever concerning	иния 4	Q. She failed to show up at ten?
5	Ms. Newmark, did you ever document her anger?	тъдения 5	A. Eight. I'm guessing the number.
13 mm 6	A. No.	паевы 6	Q. Don't guess.
115994 7	Q. When you say she was a very angry	тененим: 7	A. Okay. I don't know. I don't know.
:115	woman, what do you mean by that?	11:14:12AM 8	I don't I don't know but it was
:11 STÁIL 9	A. Well, part of the reason why I	11:1e1444 9	Q. Did you ask her how many meetings
1285yu 10	chose not to appoint Carole to the position of	1216/AMA 10	did Ms. Newmark fall to attend after having
11 www.	the palliative care was her input from Maura	тысаци, 11	those scheduled meetings?
12 ₪	Del Bene who stated to me that she is a very	1101422344 12	A. I don't remember what she told me.
_{12.22} 13	angry woman, and her demeanor would not lend	пперия 13	She probably she might have given me a
::::::::: 14	itself to taking care of dying patients.	ниши 14	number, but I don't remember what it was.
11229AM 15	Q. Did Ms. Del Bene ever express any	1174200м 15	Q. I don't want you to guess.
16 mazzw	similar concerns about Ms. Serra?	113635AL 16	A. Okay. She also told me that
17 to 22444	A. No.	11315564 17	despite attempts to get Carole Involved in
18 page 18	Q. Did you ever see any E-mails	11:10:00 18	policy writing and procedure writing related to
19 team 19	concerning Ms. Serra's demeanor that Maura	16мжм 19	palliative care, specifically for a bereavement
1122Amg 20	Del Bene submitted?	15545E## 20	policy, she didn't do anything.
21 ستسون	A. No.	niemu 21	Q. Did you ever see that in writing
1.023mi 25	Q. Did you ever ask her?	11/1457AW 22	anywhere, that Ms. Del Bene attempted to get
10Email 23	A. If she felt that Maura that	11:1E4244 23	Ms. Newmark involved in writing as you put it?
тены 24	Nicole had a negative angry demeanor?	11:15 spar 24	A. Did I see anything in writing? No.
_{тенте} 25	Q. Did you ever ask her about Nicole's	1278 MARIE 25	Q. Did you ever ask her for any
	COMPU-TRAN SHORTHAND REPORTING		COMPU-TRAN SHORTHAND REPORTING
	90		92
1	90 Catherine Magone	1	92 Catherine Magone
1	Catherine Magone	1 16160MA 2	*-
	Catherine Magone	1 1618/1844 2 1018/1844 3	Catherine Magone
11050M Z	Catherine Magone performance?		Catherine Magone documents, incidents wherein she requested from
11/12/2044 2 11/12/2044 3	Catherine Magone performance? A. Yes. Q. In words or substance what did she	териям 3	Catherine Magone documents, incidents wherein she requested from Ms. Newmark her participating in this writing
11.02.50AM 2 11.02.51AM 3	Catherine Magone performance? A. Yes. Q. In words or substance what did she say?	11:15:50-W 3	Catherine Magone documents, incidents wherein she requested from Ms. Newmark her participating in this writing process?
110725144 2 110725144 4 110725144 5	Catherine Magone performance? A. Yes. Q. In words or substance what did she say? A. You are talking about Maura Del Bene?	10155000 3 11155500 4 11155000 5	Catherine Magone documents, incidents wherein she requested from Ms. Newmark her participating in this writing process? MR. KEIL: Could you read
11025044 2 11025044 4 11025044 5 11025044 6	Catherine Magone performance? A. Yes. Q. In words or substance what did she say? A. You are talking about Maura	11-15-20-04 3 11-15-20-04 4 11-15-20-04 5 11-15-20-04 6	Catherine Magone documents, incidents wherein she requested from Ms. Newmark her participating in this writing process? MR. KEIL: Could you read the question back, please.
11025044 2 11025144 3 11025144 5 11025144 6	Catherine Magone performance? A. Yes. Q. In words or substance what did she say? A. You are talking about Maura Del Bene? Q. Yes. A. Oh, she highly recommended Nicole	101859AM 3 101859AM 4 111829AM 5 101829AM 6 111820AM 7	Catherine Magone documents, incidents wherein she requested from Ms. Newmark her participating in this writing process? MR. KEIL: Could you read the question back, please. (Record read.)
1111251444 3 1111251444 4 1111251444 5 1111125144 6 1111125144 8 1111112514 8 111112514 8 111112514 8 1111112514 8 1111112514 8 1111112514 8 1111112514 8 1111112514 8 1111112514 8 1111111111111111111111111111111111	Catherine Magone performance? A. Yes. Q. In words or substance what did she say? A. You are talking about Maura Del Bene? Q. Yes.	11:18:58AM 3 11:18:28AM 4 11:18:28AM 6 11:18:20AM 7 11:18:20AM 8	Catherine Magone documents, incidents wherein she requested from Ms. Newmark her participating in this writing process? MR. KEIL: Could you read the question back, please. (Record read.) A. No.
110250AM 2 110250AM 3 110250AM 4 110250AM 5 110250AM 7 110250AM 9 110250AM 10	Catherine Magone performance? A. Yes. Q. In words or substance what did she say? A. You are talking about Maura Del Bene? Q. Yes. A. Oh, she highly recommended Nicole to be the person that would be in the palliative care program for a number of reasons. Okay.	11-12-58-04 3 11-12-28-04 5 11-12-28-04 6 11-12-28-04 7 11-12-28-04 8 -31-12-08-04 9	Catherine Magone documents, incidents wherein she requested from Ms. Newmark her participating in this writing process? MR. KEIL: Could you read the question back, please. (Record read.) A. No. Q. Who supervised Ms. Serra?
11025044 2 11025144 4 12025144 5 12025144 7 12025144 7 12025144 9 12025144 10 10 10 10 10 10 10 10 10 10 10 10 10	performance? A. Yes. Q. In words or substance what did she say? A. You are talking about Maura Del Bene? Q. Yes. A. Oh, she highly recommended Nicole to be the person that would be in the palliative care program for a number of reasons. Okay. Nicole sought her out, always willing to learn,	101858444	Catherine Magone documents, incidents wherein she requested from Ms. Newmark her participating in this writing process? MR. KEIL: Could you read the question back, please. (Record read.) A. No. Q. Who supervised Ms. Serra? A. Diane Lantz, Q. You indicated that Ms. Newmark's position was what?
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11025044 2 11025044 5 11025044 5 11025044 7 11025044 10 11025044 11 11025044 12 11025044 15 11025044 15 11025044 15 11025044 15 11025044 16 11025044 16 11025044 17 11025044 18 11025044 1	performance? A. Yes. Q. In words or substance what did she say? A. You are talking about Maura Del Bene? Q. Yes. A. Oh, she highly recommended Nicole to be the person that would be in the palliative care program for a number of reasons. Okay. Nicole sought her out, always willing to learn, takes copious notes whenever you are teaching her anything. Made it a point of corroborate—collaborating with Maura on cases that involved palliative care, showed an interest in palliative care, unlike Carole who Maura told me had made — Maura had made many attempts to meet with Carole to talk about palliative care. She apparently had set up weekly meetings which Carole did not show up. I believe she only showed up twice.	1018590M 3 101829AM 4 101829AM 5 101829AM 6 101829AM 6 101829AM 7 101839AM 10 101839AM 11 101839AM 12 101839AM 14 101839AM 14 101839AM 15 101839AM 16 101839AM 17 101839AM 18 101839AM 19 101839AM 20 101829AM 21 101829AM 22	documents, incidents wherein she requested from Ms. Newmark her participating in this writing process? MR. KEIL: Could you read the question back, please. (Record read.) A. No. Q. Who supervised Ms. Serra? A. Diane Lantz, Q. You indicated that Ms. Newmark's position was what? A. Senior social worker. Q. Was she, in fact, Ms. Serra's direct supervisor? A. She was the lead social worker with some Q. Was she her direct supervisor? A. Not on paper. Q. When you say not on paper? A. Not part of her job description. Q. What was her job description?
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11023044 2 11023444 4 11023444 5 11023444 6 11023444 10 11023444 11 11023444 13 11023444 14 11023444 15 11023444 15 11023444 15 11023444 15 11023444 15 11023444 15 11023444 15 11023444 15 11023444 15 11023444 15 11023444 15 11023444 16 1102344 16 1102344	performance? A. Yes. Q. In words or substance what did she say? A. You are talking about Maura Del Bene? Q. Yes. A. Oh, she highly recommended Nicole to be the person that would be in the palliative care program for a number of reasons. Okay. Nicole sought her out, always willing to learn, takes copious notes whenever you are teaching her anything. Made it a point of corroborate collaborating with Maura on cases that involved palliative care, showed an interest in palliative care, unlike Carole who Maura told me had made Maura had made many attempts to meet with Carole to talk about palliative care. She apparently had set up weekly meetings which Carole did not show up. I believe she only showed up twice. Q. Out of how many weekly meetings? A. I don't know. I don't know.	10185899 3 10185899 5 10185999 6 10185999 7 10185999 10 10185999 10 10185999 10 10185999 11 10185999 15 10185999 15 10185999 15 10185999 15 10185999 15 10185999 15 10185999 15 10185999 15 10185999 20 1018599 20 101859 20 101859 20 101859 20 101859 20 101859 20 101859 20 101859 20 101859 20 101859 20 10	documents, incidents wherein she requested from Ms. Newmark her participating in this writing process? MR. KEIL: Could you read the question back, please. (Record read.) A. No. Q. Who supervised Ms. Serra? A. Diane Lantz, Q. You indicated that Ms. Newmark's position was what? A. Senior social worker. Q. Was she, in fact, Ms. Serra's direct supervisor? A. She was the lead social worker with some Q. Was she her direct supervisor? A. Not on paper. Q. When you say not on paper? A. Not part of her job description. Q. What was her job description?
11025044 2 11025044 3 11025044 5 11025044 7 11025044 10 11025044 11 11025044 15 11025044 1	performance? A. Yes. Q. In words or substance what did she say? A. You are talking about Maura Del Bene? Q. Yes. A. Oh, she highly recommended Nicole to be the person that would be in the palliative care program for a number of reasons. Okay. Nicole sought her out, always willing to learn, takes copious notes whenever you are teaching her anything. Made it a point of corroborate — collaborating with Maura on cases that involved palliative care, showed an interest in palliative care, unlike Carole who Maura told me had made — Maura had made many attempts to meet with Carole to talk about palliative care. She apparently had set up weekly meetings which Carole did not show up. I believe she only showed up twice. Q. Out of how many weekly meetings?	10185900 3 10182000 5 10182000 7 10182000 9 10182000 10 10183000 11 10183000 12 10183000 15 10183000 15 10183000 16 10183000 17 10183000 17 10183000 17 10183000 17 10183000 17 10183000 20 10182000 20 10182000 21	documents, incidents wherein she requested from Ms. Newmark her participating in this writing process? MR. KEIL: Could you read the question back, please. (Record read.) A. No. Q. Who supervised Ms. Serra? A. Diane Lantz. Q. You indicated that Ms. Newmark's position was what? A. Senior social worker. Q. Was she, in fact, Ms. Serra's direct supervisor? A. She was the lead social worker with some Q. Was she her direct supervisor? A. Not on paper. Q. When you say not on paper? A. Not part of her job description. Q. What was her job description? A. She was senior social worker.

Case 7:07-cv-02861-CS Decument 21-5 Filed 09/02/20	008 Page 4 of 53.
4 Chithavina Managa	95
	Catherine Magone There any records to your
3 Q. Did you have an understanding that 3 knowledge regard	·
4 Ms. Newmark was Ms. Serra's direct supervisor?	and triats
F. A 810	t from what you've already
	, if anything else, do you
THE REPORT OF THE PARTY OF THE	ting with Ms. Newmark about
=	Serra to the palliative care
9 her. 1ERSTAN 9 services?	a a a a a pamento, dal b
10 Q. So she was her supervisor. Did you internal 10 A. Noth	ling.
11 ever 11 Q. Apart	from what you've already
48	if anything, do you recall
	ting in words or substance with
MS. NICAJ: No. I'm just 14 respect to your de	
15 we finally got to it. So I apologize.	ing else.
16 Withdraw that.	here come a time that anyone
17 Q. Do you know how many cases or 17 communicated with	th you concerning your decision
	Serra to the palliative care
19 worker were referred to Ms. Serra while 19 services?	
	n't understand the question.
	nyone ever communicate with
	mark had gone to them about your
Q. How many patient referrals were 23 decision?	
AND THE PROPERTY OF THE PROPER	uman resources, yes.
	from human resources did
	J-TRAN SHORTHAND REPORTING
94 1 Catherine Magone 1 Ca	96
	atherine Magone
	communicate with you that
4 O What about with Me Newmanica	expressed concern about that?
	oing to show you again what's
6 Q: And that was the limit; eight was	· · · · · · · · · · · · · · · · · · ·
- Individual and individual	have it underneath some of
8 A. We don't have a number on the 8 those documents.	THOYCHE GHOSTHEADS SOME OF
6 15 4 10 10 10	uman resources first
48	you concerning Ms. Newmark
	ncern about your decision?
	't know the exact date.
48	ou approximate how many days?
44 8	s a few days after our
15 Q. Did anyone ever seek to compile statement 15 discussion.	·
	communicated with you?
. 47. manh na stal	rsaia.
	his verbally, in writing or
19 pretty much because I was I would ask the name 19 some other manne	
_, _, _	eve E-mail.
	was the substance of the
22 Information concerning the number of cases or 22 E-mail?	
84 6	eve that Pat was going on
	just E-mailed me that Carole
	me to her with some concerns and
COMPU-TRAN SHORTHAND REPORTING COMPU- 1/26/2008 11:16:52 AM Page 93 to 96 of 190	-TRAN SHORTHAND REPORTING

	Case 7:07-cv-02861-CS Decumer	rt 21-5	Filed 09/02/2008 Page 5 of 53
1	Catherine Magone	1	99
21.85M Z			Catherine Magone
715HAU 3	returned.		Maybe it was a phone call.
,, 4	Q. What was stated in the E-mail?		Q. But what did you mean, accept that
5	A. Something to that effect.	1124MAN 4	Carole Newmark's concerns, if you didn't receive
	MS. NICAJ: Four.	110-жи 5	the communication in E-mail form?
7	(Plaintiff's Exhibit 4	11245744 6	A. No. I had a call from I don't
8	8/22/06 E-Mail marked for identification,	11/25/00/44	know if it was a call from Pat or an E-mail from
	· · · · · · · · · · · · · · · · · · ·	112520м 8	Pat a few days after the 8/15 encounter with
40	as of this date.)	1135MUM 9	Carole. And if my memory has it, Pat was going
2350M 1D	Q. I'm going to direct your attention	1626-1600 110	to be away so she couldn't set up a meeting
-ziñi-i 11	to what is marked as Plaintiff's Exhibit 4 for	11252044 11	until she got back. So this one must have been
	identification. Do you see that?	112520м 12	when she got back,
13 سمد،	A. Yes.	11/25/25/01 13	Q. You testified earlier that she
14	Q. It appears to be an E-mail from you	11252AM 14	E-mailed you,
15 mm	to Pat Orsala and the subject is accept that	1125am 15	A. I'm not a hundred percent sure. It
1244DAE 16	Carole Newmark's concerns. Do you know what her	1177,144 16	was either an E-mail or a phone call. I don't
120:HAW 17	E-mail to you was?	1125AM 17	recall,
18	MR. KEIL: I object as to	пэточи 18	Q. Was there a reason why you would
19 سبيده	form. Do you understand the question?	112836AN 19	have only a simple subject accepted Carole
20 بستجده	THE WITNESS: No.	,,,,,,,,, 20	Newmark's concerns if she wasn't the one that
100mm 21	Q. You said she E-mailed you. What	112E-0AW 21	E-mailed you about those concerns?
12224 22	was the substance of her E-mail to you?	1120 ON 22	A. No. Accepted would be if I was
23 سدد	A. Well, this is back in this is	1126-144 23	getting this is probably a what do you
1237M 24	August.	11200m 24	call it to your calendar, an appointment
122 May 25	Q. Right.	112357AL 25	
	COMPU-TRAN SHORTHAND REPORTING	1125(7)41 2-3	regarding her concerns. COMPU-TRAN SHORTHAND REPORTING
- -		 	
1	98	1	100
1 2	98 Catherine Magone	1 2	100 Catherine Magone
1 1 1 2 2 2 1 1 1 1 1 1 1 1 1 1 1 1 1 1	98 Catherine Magone A. This is July. It's a month later.	112525844 2	Catherine Magone Q. The subject concerned an
1225-00A 3	98 Catherine Magone A. This is July. It's a month later. But it wouldn't be related.	11202004 2 11204004 3	Catherine Magone Q. The subject concerned an appointment, your subject in Exhibit 4?
122-0A0 4	98 Catherine Magone A. This is July. It's a month later. But it wouldn't be related. Q. What is July? What is July? Both	11.2828444 2 11.2828444 3 11.28284444 4	Catherine Magone Q. The subject concerned an appointment, your subject in Exhibit 4? A. I believe so.
122-02-04 4 122-02-04 5	98 Catherine Magone A. This is July. It's a month later. But it wouldn't be related. Q. What is July? What is July? Both of them are August.	11222004 2 11232004 3 11232004 4 11231004 5	Catherine Magone Q. The subject concerned an appointment, your subject in Exhibit 4? A. I believe so. Q. Does it indicate anywhere the date
122-4044 4 122-4044 5 122-4044 6	98 Catherine Magone A. This is July. It's a month later. But it wouldn't be related. Q. What is July? What is July? Both of them are August. A. Oh, August. I'm sorry, I'm sorry.	11282000 2 31284000 4 11281000 5 11281000 6	Catherine Magone Q. The subject concerned an appointment, your subject in Exhibit 4? A. I believe so. Q. Does it indicate anywhere the date the appointment would be? You said an
1525-0544 3 122-0544 4 1321-0544 5 11321-0544 6	98 Catherine Magone A. This is July. It's a month later. But it wouldn't be related. Q. What is July? What is July? Both of them are August. A. Oh, August. I'm sorry, I'm sorry. I'm sorry. I'm sorry.	11222000 2 11232000 3 11232000 4 1123100 5 1123100 7	Catherine Magone Q. The subject concerned an appointment, your subject in Exhibit 4? A. I believe so. Q. Does it indicate anywhere the date the appointment would be? You said an appointment for what?
1525-82-84 3 122-82-84 4 1221-82-84 5 122-82-84 6 11-22-82-84 8	Catherine Magone A. This is July. It's a month later. But it wouldn't be related. Q. What is July? What is July? Both of them are August. A. Oh, August. I'm sorry, I'm sorry. I'm sorry. I'm sorry. Q. It's okay.	112020000 2 112020000 3 112020000 4 112020000 5 112020000 6	Catherine Magone Q. The subject concerned an appointment, your subject in Exhibit 4? A. I believe so. Q. Does it indicate anywhere the date the appointment would be? You said an appointment for what? A. No, no. When you — in outlook
122-0244 3 122-0244 4 122-0244 5 122-0244 6 1122-0244 7 1122-0244 8 122-0244 9	Catherine Magone A. This is July. It's a month later. But it wouldn't be related. Q. What is July? What is July? Both of them are August. A. Oh, August. I'm sorry, I'm sorry. I'm sorry. I'm sorry. Q. It's okay. What were you referring to as July, by	11222000 2 112242000 4 112241000 5 112241000 6	Catherine Magone Q. The subject concerned an appointment, your subject in Exhibit 4? A. I believe so. Q. Does it indicate anywhere the date the appointment would be? You said an appointment for what? A. No, no. When you — in outlook when someone sends you an E-mail, if they are
122-4244 3 122-4244 4 1221-4244 5 1222-4244 6 11222-4244 7 1222-4244 8 1223-4444 9 1122-4444 10	Catherine Magone A. This is July. It's a month later. But it wouldn't be related. Q. What is July? What is July? Both of them are August. A. Oh, August. I'm sorry, I'm sorry. I'm sorry. Q. It's okay. What were you referring to as July, by the way?	11282000 2 11282000 4 11281000 5 11281000 7 11281000 7 11281000 9 11282000 10	Catherine Magone Q. The subject concerned an appointment, your subject in Exhibit 4? A. I believe so. Q. Does it indicate anywhere the date the appointment would be? You said an appointment for what? A. No, no. When you — in outlook when someone sends you an E-mail, if they are setting up an appointment to meet, it
122-4244 4 122-4244 5 122-4244 6 122-4244 7 122-4244 7 122-4244 10 122-4244 10	Catherine Magone A. This is July. It's a month later. But it wouldn't be related. Q. What is July? What is July? Both of them are August. A. Oh, August. I'm sorry, I'm sorry. I'm sorry. I'm sorry. Q. It's okay. What were you referring to as July, by the way? A. I was just thinking it was July.	112020000 2 112020000 4 11201000 5 11201000 7 11201000 8 11202000 10 11202000 10	Catherine Magone Q. The subject concerned an appointment, your subject in Exhibit 4? A. I believe so. Q. Does it indicate anywhere the date the appointment would be? You said an appointment for what? A. No, no. When you — in outlook when someone sends you an E-mail, if they are
1525-10744 4 1221-10744 5 1221-10744 6 1122-10744 7 1122-10744 9 1122-10744 10 1122-10744 11	Catherine Magone A. This is July. It's a month later. But it wouldn't be related. Q. What is July? What is July? Both of them are August. A. Oh, August. I'm sorry, I'm sorry. I'm sorry. I'm sorry. Q. It's okay. What were you referring to as July, by the way? A. I was just thinking it was July. You know. It wasn't July. It's August.	11282000 2 11282000 4 11281000 5 11281000 7 11281000 7 11281000 9 11282000 10	Catherine Magone Q. The subject concerned an appointment, your subject in Exhibit 4? A. I believe so. Q. Does it indicate anywhere the date the appointment would be? You said an appointment for what? A. No, no. When you — in outlook when someone sends you an E-mail, if they are setting up an appointment to meet, it
122-2244 3 122-2244 4 122-2244 5 122-2244 6 122-2244 8 122-2244 9 122-2244 10 122-2244 11	Catherine Magone A. This is July. It's a month later. But it wouldn't be related. Q. What is July? What is July? Both of them are August. A. Oh, August. I'm sorry, I'm sorry. I'm sorry. I'm sorry. Q. It's okay. What were you referring to as July, by the way? A. I was just thinking it was July.	112020000 2 112020000 4 11201000 5 11201000 7 11201000 8 11202000 10 11202000 10	Catherine Magone Q. The subject concerned an appointment, your subject in Exhibit 4? A. I believe so. Q. Does it indicate anywhere the date the appointment would be? You said an appointment for what? A. No, no. When you — in outlook when someone sends you an E-mail, if they are setting up an appointment to meet, it automatically goes in your calendar if you
1525-10744 4 1221-10744 5 1221-10744 6 1122-10744 7 1122-10744 9 1122-10744 10 1122-10744 11	Catherine Magone A. This is July. It's a month later. But it wouldn't be related. Q. What is July? What is July? Both of them are August. A. Oh, August. I'm sorry, I'm sorry. I'm sorry. I'm sorry. Q. It's okay. What were you referring to as July, by the way? A. I was just thinking it was July. You know. It wasn't July. It's August.	112823888 2 112821888 4 11281888 5 11281888 6 11281888 8 11281888 8 11282388 8 11282388 10 11282388 10	Catherine Magone Q. The subject concerned an appointment, your subject in Exhibit 4? A. I believe so. Q. Does it indicate anywhere the date the appointment would be? You said an appointment for what? A. No, no. When you — in outlook when someone sends you an E-mail, if they are setting up an appointment to meet, it automatically goes in your calendar if you accept it.
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122-1244 3 122-1244 4 122-1244 5 122-1244 6 11-22-1244 8 122-1244 9 11-22-1244 10 11-22-1244 12 11-22-1244 12 11-22-1244 13 11-22-1244 14	Catherine Magone A. This is July. It's a month later. But it wouldn't be related. Q. What is July? What is July? Both of them are August. A. Oh, August. I'm sorry, I'm sorry. I'm sorry. I'm sorry. Q. It's okay. What were you referring to as July, by the way? A. I was just thinking it was July. You know. It wasn't July. It's August. Q. What E-mail did Ms. Orsaia send to you?	112020000 2 112020000 4 112021000 5 112021000 6 112021000 8 11202000 10 11202000 10 11202000 12 11202000 12 11202000 13	Catherine Magone Q. The subject concerned an appointment, your subject in Exhibit 4? A. I believe so. Q. Does it indicate anywhere the date the appointment would be? You said an appointment for what? A. No, no. When you — in outlook when someone sends you an E-mail, if they are setting up an appointment to meet, it automatically goes in your calendar if you accept it. Q. So there was an E-mail from Pat Orsaia. That's what I'm trying to get to. A. Two different times, you are
1525-1034 4 1221-1034 5 1221-1034 6 1122-1034 7 1122-1034 10 1122-1034 10 1122-1034 12 1123-1034 12 1124-1034 13 1124-1034 14 1124-1034 15	Catherine Magone A. This is July. It's a month later. But it wouldn't be related. Q. What is July? What is July? Both of them are August. A. Oh, August. I'm sorry, I'm sorry. I'm sorry. I'm sorry. Q. It's okay. What were you referring to as July, by the way? A. I was just thinking it was July. You know. It wasn't July. It's August. Q. What E-mail did Ms. Orsaia send to you? A. This E-mail was probably when she	11282000 2 11282000 4 11282000 5 1128200 5 1128200 7 1128200 8 1128200 10 1128200 10 1128200 12 1128200 12 1128200 12 1128200 12	Catherine Magone Q. The subject concerned an appointment, your subject in Exhibit 4? A. I believe so. Q. Does it indicate anywhere the date the appointment would be? You said an appointment for what? A. No, no. When you — in outlook when someone sends you an E-mail, if they are setting up an appointment to meet, it automatically goes in your calendar if you accept it. Q. So there was an E-mail from Pat Orsaia. That's what I'm trying to get to. A. Two different times, you are talking about two different things. She either
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122-0244 4 122-0244 5 122-0244 7 122-0244 7 122-0244 7 122-0244 10 1122-0244 11 1122-0244 12 1122-0244 12 1122-0244 13 1122-0244 15 1122-0244 15 1122-0244 15 1122-0244 16 1122-0244 17 1122-0244 18	Catherine Magone A. This is July. It's a month later. But it wouldn't be related. Q. What is July? What is July? Both of them are August. A. Oh, August. I'm sorry, I'm sorry. I'm sorry. I'm sorry. Q. It's okay. What were you referring to as July, by the way? A. I was just thinking it was July. You know. It wasn't July. It's August. Q. What E-mail did Ms. Orsaia send to you? A. This E-mail was probably when she came back setting up a meeting with Carole and I. Q. I'm not asking about probably. I'm	112020000 2 112020000 4 112020000 5 112020000 7 112020000 10 112020000 10 112020000 11 112020000 12 112020000 13 112020000 15 112020000 15 112020000 15 112020000 15 112020000 15 112020000 15 112020000 15 112020000 15 112020000 15 112020000 15 112020000 15 11202000000 15 11202000000 15 1120200000000000000000000000000000000	Catherine Magone Q. The subject concerned an appointment, your subject in Exhibit 4? A. I believe so. Q. Does it indicate anywhere the date the appointment would be? You said an appointment for what? A. No, no. When you — in outlook when someone sends you an E-mail, if they are setting up an appointment to meet, it automatically goes in your calendar if you accept it. Q. So there was an E-mail from Pat Orsaia. That's what I'm trying to get to. A. Two different times, you are talking about two different things. She either called me or E-mailed me that there was going to be a meeting, and this one appears to be the setting up of the meeting.
122-1244 3 122-1244 4 122-1244 5 122-1244 6 122-1244 9 122-1244 10 122-1244 11 1122-1244 12 123-1244 13 123-1244 15 123-1244 15 123-1244 17 123-1244 17 123-1244 17 123-1244 17	Catherine Magone A. This is July. It's a month later. But it wouldn't be related. Q. What is July? What is July? Both of them are August. A. Oh, August. I'm sorry, I'm sorry. I'm sorry. I'm sorry. Q. It's okay. What were you referring to as July, by the way? A. I was just thinking it was July. You know. It wasn't July. It's August. Q. What E-mail did Ms. Orsaia send to you? A. This E-mail was probably when she came back setting up a meeting with Carole and I. Q. I'm not asking about probably. I'm asking you indicated that Ms. Orsaia first	112020000 2 112020000 4 112010000 5 112010000 7 112010000 10 11202000 10 11202000 12 11202000 12 11202000 15 112020000 15 11202000 15 1120	Catherine Magone Q. The subject concerned an appointment, your subject in Exhibit 4? A. I believe so. Q. Does it indicate anywhere the date the appointment would be? You said an appointment for what? A. No, no. When you — in outlook when someone sends you an E-mail, if they are setting up an appointment to meet, it automatically goes in your calendar if you accept it. Q. So there was an E-mail from Pat Orsaia. That's what I'm trying to get to. A. Two different times, you are talking about two different things. She either called me or E-mailed me that there was going to be a meeting, and this one appears to be the setting up of the meeting. Q. Accepting her E-mail, or no? I'm
1525-15244 3 1225-15244 4 1325-15244 5 11225-15244 6 11225-1524 8 1225-1524 10 11225-1524 10 11225-1524 11 11225-1524 12 11245-1524 13 11245-1524 15 11245-1524 16 11245-1524 17 11245-1524 18 11245-1524 19 11245-1524 20	Catherine Magone A. This is July. It's a month later. But it wouldn't be related. Q. What is July? What is July? Both of them are August. A. Oh, August. I'm sorry, I'm sorry. I'm sorry. I'm sorry. Q. It's okay. What were you referring to as July, by the way? A. I was just thinking it was July. You know. It wasn't July. It's August. Q. What E-mail did Ms. Orsaia send to you? A. This E-mail was probably when she came back setting up a meeting with Carole and I. Q. I'm not asking about probably. I'm asking you indicated that Ms. Orsaia first sent you an E-mail and you read it and related it to Ms. Newmark's concerns.	112020000 2 112020000 4 112020000 5 112020000 10 112020000 10 11202000 10 11202000 12 11202000 13 11202000 15 11202000 15 11202000 15 11202000 16 11202000 17 11202000 17 11202000 17 11202000 17 11202000 17	Catherine Magone Q. The subject concerned an appointment, your subject in Exhibit 4? A. I believe so. Q. Does it indicate anywhere the date the appointment would be? You said an appointment for what? A. No, no. When you — in outlook when someone sends you an E-mail, if they are setting up an appointment to meet, it automatically goes in your calendar if you accept it. Q. So there was an E-mail from Pat Orsala. That's what I'm trying to get to. A. Two different times, you are talking about two different things. She either called me or E-mailed me that there was going to be a meeting, and this one appears to be the setting up of the meeting. Q. Accepting her E-mail, or no? I'm not trying to put words in your mouth, but you
1525-1524 3 122-1524 4 1221-1524 5 1225-1524 6 1122-1524 8 1225-1524 9 1122-1524 10 1122-1524 11 1122-1524 12 1124-1524 15 1124-1524 16 1124-1524 16 1124-1524 17 1124-1524 18 1124-1524 18 1124-1524 18 1124-1524 18 1124-1524 18 1124-1524 19 1124-1524 20 1124-1524 20	Catherine Magone A. This is July. It's a month later. But it wouldn't be related. Q. What is July? What is July? Both of them are August. A. Oh, August. I'm sorry, I'm sorry. I'm sorry. I'm sorry. Q. It's okay. What were you referring to as July, by the way? A. I was just thinking it was July. You know. It wasn't July. It's August. Q. What E-mail did Ms. Orsaia send to you? A. This E-mail was probably when she came back setting up a meeting with Carole and I. Q. I'm not asking about probably. I'm asking you indicated that Ms. Orsaia first sent you an E-mail and you read it and related it to Ms. Newmark's concerns: A. At that time she didn't elaborate.	112020000 2 112020000 4 112020000 5 112020000 7 112020000 10 112020000 11 112020000 12 112020000 15 112020000 16 112020000 17 112020000 17 112020000 17 112020000 17 112020000 17 112020000 17 112020000 17 112020000 18 12020000 19 112020000 20 112020000 20 112020000 20 112020000 20 112020000 20 112020000 20 112020000 20 112020000 20 112020000 20 112020000 20	Catherine Magone Q. The subject concerned an appointment, your subject in Exhibit 4? A. I believe so. Q. Does it indicate anywhere the date the appointment would be? You said an appointment for what? A. No, no. When you — in outlook when someone sends you an E-mail, if they are setting up an appointment to meet, it automatically goes in your calendar if you accept it. Q. So there was an E-mail from Pat Orsaia. That's what I'm trying to get to. A. Two different times, you are talking about two different things. She either called me or E-mailed me that there was going to be a meeting, and this one appears to be the setting up of the meeting. Q. Accepting her E-mail, or no? I'm not trying to put words in your mouth, but you said ordinarily something like that, that would
1225000 3 1225000 4 1225000 5 1225000 7 1225000 70 1225000 10 1225000 10 1225000 12 1235000 12 1235000 12 1235000 12 1235000 12 1235000 12 1235000 13 1235000 14 1235000 15 1235	Catherine Magone A. This is July. It's a month later. But it wouldn't be related. Q. What is July? What is July? Both of them are August. A. Oh, August. I'm sorry, I'm sorry. I'm sorry. I'm sorry. Q. It's okay. What were you referring to as July, by the way? A. I was just thinking it was July. You know. It wasn't July. It's August. Q. What E-mail did Ms. Orsaia send to you? A. This E-mail was probably when she came back setting up a meeting with Carole and I. Q. I'm not asking about probably. I'm asking you indicated that Ms. Orsaia first sent you an E-mail and you read it and related it to Ms. Newmark's concerns: A. At that time she didn't elaborate.	11282000 2 11282000 4 11281000 5 11281000 7 11281000 8 11281000 10 11282000 10 11282000 12 11282000 15 11282000 15 11282000 17	Catherine Magone Q. The subject concerned an appointment, your subject in Exhibit 4? A. I believe so. Q. Does it indicate anywhere the date the appointment would be? You said an appointment for what? A. No, no. When you — in outlook when someone sends you an E-mail, if they are setting up an appointment to meet, it automatically goes in your calendar if you accept it. Q. So there was an E-mail from Pat Orsaia. That's what I'm trying to get to. A. Two different times, you are talking about two different things. She either called me or E-mailed me that there was going to be a meeting, and this one appears to be the setting up of the meeting. Q. Accepting her E-mail, or no? I'm not trying to put words in your mouth, but you said ordinarily something like that, that would indicate someone E-mailed you through outlook
12254744 3 12254744 5 12254744 6 12254744 7 12254744 9 12254744 10 12254744 11 12254744 12 12354744 15 12354744 15 12354744 15 12354744 15 12354744 17	Catherine Magone A. This is July. It's a month later. But it wouldn't be related. Q. What is July? What is July? Both of them are August. A. Oh, August. I'm sorry, I'm sorry. I'm sorry. I'm sorry. Q. It's okay. What were you referring to as July, by the way? A. I was just thinking it was July. You know. It wasn't July. It's August. Q. What E-mail did Ms. Orsaia send to you? A. This E-mail was probably when she came back setting up a meeting with Carole and I. Q. I'm not asking about probably. I'm asking you indicated that Ms. Orsaia first sent you an E-mail and you read it and related it to Ms. Newmark's concerns: A. At that time she didn't elaborate. Q. Do you know where that E-mail is, because we don't have it.	112020000 2 112020000 4 112020000 5 112020000 7 112020000 10 112020000 10 112020000 12 112020000 15 112020000 16 112020000 16 112020000 17 112020000 16 112020000 17 112020000 17 112020000 17 112020000 17 112020000 20 112020000 21 112020000 21 112020000 21 112020000 21 112020000 21 112020000 21 112020000 22 112020000 22 112020000 24	Catherine Magone Q. The subject concerned an appointment, your subject in Exhibit 4? A. I believe so. Q. Does it indicate anywhere the date the appointment would be? You said an appointment for what? A. No, no. When you — in outlook when someone sends you an E-mail, if they are setting up an appointment to meet, it automatically goes in your calendar if you accept it. Q. So there was an E-mail from Pat Orsaia. That's what I'm trying to get to. A. Two different times, you are talking about two different things. She either called me or E-mailed me that there was going to be a meeting, and this one appears to be the setting up of the meeting. Q. Accepting her E-mail, or no? I'm not trying to put words in your mouth, but you said ordinarily something like that, that would indicate someone E-mailed you through outlook with an appointment.
1525-1524 3 122-1524 4 122-1524 5 122-1524 6 1122-1524 9 1122-1524 10 1122-1524 11 1122-1524 12 1124-1524 15 1124-1524 16 1124-1524 17 1124-1524 17 1124-1524 19 1124-1524 19 1124-1524 19 1124-1524 19 1124-1524 19 1124-1524 19 1124-1524 20 1124-1524 20 1124-1524 20	Catherine Magone A. This is July. It's a month later. But it wouldn't be related. Q. What is July? What is July? Both of them are August. A. Oh, August. I'm sorry, I'm sorry. I'm sorry. I'm sorry. Q. It's okay. What were you referring to as July, by the way? A. I was just thinking it was July. You know. It wasn't July. It's August. Q. What E-mail did Ms. Orsaia send to you? A. This E-mail was probably when she came back setting up a meeting with Carole and I. Q. I'm not asking about probably. I'm asking you indicated that Ms. Orsaia first sent you an E-mail and you read it and related it to Ms. Newmark's concerns: A. At that time she didn't elaborate. Q. Do you know where that E-mail is,	11282000 2 11282000 4 11281000 5 11281000 7 11281000 8 11281000 10 11282000 10 11282000 12 11282000 15 11282000 15 11282000 17	Catherine Magone Q. The subject concerned an appointment, your subject in Exhibit 4? A. I believe so. Q. Does it indicate anywhere the date the appointment would be? You said an appointment for what? A. No, no. When you — in outlook when someone sends you an E-mail, if they are setting up an appointment to meet, it automatically goes in your calendar if you accept it. Q. So there was an E-mail from Pat Orsaia. That's what I'm trying to get to. A. Two different times, you are talking about two different things. She either called me or E-mailed me that there was going to be a meeting, and this one appears to be the setting up of the meeting. Q. Accepting her E-mail, or no? I'm not trying to put words in your mouth, but you said ordinarily something like that, that would indicate someone E-mailed you through outlook

	Case 7:07 cv-02861 CS - Documen	t ₁ 21-5	Filed 09/02/2008 Page 6 of 53
	101	1 .	103
1	Catherine Magone	1	Catherine Magone
37:50AN Z	Q. So she did in fact E-mail you?	пакняя 2	Q. When did you learn that she had
27,984M 3	A. Yes. Here. But I don't remember	11:20:20.44 3	communicated this concern to Pat Orsaia?
,,, 4 	if it was if she had E-mailed me earlier or	изын 4	A. I don't recall.
5	she just called me earlier. There was a	1129.55# 5	Q. Was this around the time you
алны Б	difference in time here.	112841AH 6	received the appointment for August, accepted
1224,444 7	Q. What was the substance of that	1128:0W 7	Carole Newmark's concerns?
120:1000 8	E-mail?	намии В	A. Pardon me?
(27:35th) 9	A. I don't recall.	11.2830W 9	Q. Verbal response, she said.
19125Mi 10	MS. NICAJ: I'm going to	11293444 10	A. I don't know the exact date.
1272244 11	call for the production of it, because we	11253AN 11	Q. Do you recall communicating with
1272ны 12	don't have it and it would be enlightening	112455444 12	Ms. Orsaia prior or around August 21 about
1372944 13	to know what the E-mail was.	1130mm 13	Ms. Newmark's concerns about
1272109 14	MR. KEIL: I'm not sure	вэели 14	A. Yes.
12F2000 15	there was such an E-mail, but it would be	∪арем 15	Q. So if it wasn't August 21, it was
12721AI 16	something we can discuss off the record.	1100aniu 16	around that time, is that right?
12720 17	But I will take the request under	11:00:10MM 17	A. Yes.
1279444 18	advisement.	насель 18	Q. When was the next communication
1272444 19	MS. NICAJ: It is more than	112021AN 19	that you had with anyone concerning Ms. Newmark
1272iu 20	a request. We previously requested this	112830ar 20	after your August 21, 2006 E-mail?
11275MM 21	information.	11200au 21	A. I don't recall exact dates.
_{сельны} 22	-DOCUMENT/DATA REQUESTED: Pat Orsaia E-mail	v=## 22	Q. With whom?
1127HAM 23	Q. Do you recall the substance of that	112247#4 23	A. Pat Orsaia.
24 سندن	E-mail?	11:01:50.w 24	Q. Was this at a meeting with
120-4 25	A. I don't recall,	123850W 25	Ms. Orsaia?
	COMPU-TRAN SHORTHAND REPORTING	11:31:3040 2.0	COMPU-TRAN SHORTHAND REPORTING
	102	_	
			104
1		1	Catherine Magone
,	Catherine Magone	1	Catherine Magone
1 1350 M 2	Catherine Magone Q. Prior to any meeting with	показы 2	Catherine Magone A. Yes.
1250-141 2	Catherine Magone Q. Prior to any meeting with Ms. Newmark, do you know what those concerns	113053AN 2	A. Yes. Q. Was anyone else present?
1200 Au 2	Catherine Magone Q. Prior to any meeting with Ms. Newmark, do you know what those concerns Ms. Newmark had expressed to Patricia Orsaia	112012044 2 12212044 4	A. Yes. Q. Was anyone else present? A. No.
12300Mi 2 12310Mi 3 12210Mi 4	Catherine Magone Q. Prior to any meeting with Ms. Newmark, do you know what those concerns Ms. Newmark had expressed to Patricia Orsaia were?	11212094 2 11212094 3 11212094 4 112120944 5	Catherine Magone A. Yes. Q. Was anyone else present? A. No. Q. Did Ms. Orsaia take notes?
12501AM 2 123100AM 4	Catherine Magone Q. Prior to any meeting with Ms. Newmark, do you know what those concerns Ms. Newmark had expressed to Patricia Orsaia were? A. Yes.	112120004 2 112120004 3 112120044 4 112120044 5	Catherine Magone A. Yes. Q. Was anyone else present? A. No. Q. Did Ms. Orsaia take notes? A. I don't recall.
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12801AM 2 112800AM 3 112810AM 5 112810AM 6 112810AM 6 112810AM 8 112812AM 9 112812AM 10 112812AM 11	Catherine Magone Q. Prior to any meeting with Ms. Newmark, do you know what those concerns Ms. Newmark had expressed to Patricia Orsaia were? A. Yes. Q. What? A. That she felt that the conversation that I had had with her when I told her that I was appointing Nicole Serra to the program, palliative care program, that in using the word	11004344 2 11310044 4 11310044 5 11310044 6 11310044 7 11310044 9 11310044 10 11310044 10	Catherine Magone A. Yes. Q. Was anyone else present? A. No. Q. Did Ms. Orsaia take notes? A. I don't recall. Q. Did she have you write a statement as to what you actually told Ms. Newmark? A. No. Q. How did you come to meet with Ms. Orsaia?
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120-01AM 2 120-01AM 3 120-01AM 4 120-01AM 5 120-01AM 7 120-01AM 7 120-01AM 10 120-01AM 11 120-01AM 12 120-01AM 15	Catherine Magone Q. Prior to any meeting with Ms. Newmark, do you know what those concerns Ms. Newmark had expressed to Patricia Orsaia were? A. Yes. Q. What? A. That she felt that the conversation that I had had with her when I told her that I was appointing Nicole Serra to the program, palliative care program, that in using the word "young" that implied ageism. Q. Well, she doesn't exactly say you just used the word "young," did she, to your knowledge? A. Using the word "young" implied ageism is what she said. Q. Did she identify what comment she exactly attributed to you in connection with using the word "young" to your knowledge? A. Yes. Q. What? A. She said that I said, which I deny,	11000000 2 11010000 3 11010000 5 11010000 6 11010000 10 11010000 10 11010000 11 11010000 12 11010000 15 110100000 15 1101000000 15 110100000 15 110100000 15 110100000 15 110100000 15 1101000000 15 1101000000 15 1101000000 15 1101000000 15 1101000000 15 1101000000 15 1101000000 15 1101000000 15 1101000000 15 1101000000 15 1101000000 15 1101000000 15 1101000000 15 11010000000 15 110100000000 15 11010000000000	A. Yes. Q. Was anyone else present? A. No. Q. Did Ms. Orsaia take notes? A. I don't recall. Q. Did she have you write a statement as to what you actually told Ms. Newmark? A. No. Q. How did you come to meet with Ms. Orsaia? A. She asked to meet with me. Q. Do you know how long after the August 21, 2006 E-mail? A. I don't recall. Q. What did she say? A. I just told you. Q. She asked to meet with you? A. She asked to meet with me to discuss Carole's concerns. Q. When she asked you to meet with her to discuss Carole's concerns, did she identify what those concerns were?
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120-01AM 2 120-01AM 3 120-01AM 4 120-01AM 5 120-01AM 7 120-01AM 7 120-01AM 10 120-01AM 11 120-01AM 12 120-01AM 15	Catherine Magone Q. Prior to any meeting with Ms. Newmark, do you know what those concerns Ms. Newmark had expressed to Patricia Orsaia were? A. Yes. Q. What? A. That she felt that the conversation that I had had with her when I told her that I was appointing Nicole Serra to the program, palliative care program, that in using the word "young" that implied ageism. Q. Well, she doesn't exactly say you just used the word "young," did she, to your knowledge? A. Using the word "young" implied ageism is what she said. Q. Did she identify what comment she exactly attributed to you in connection with using the word "young" to your knowledge? A. Yes. Q. What? A. She said that I said, which I deny,	11000000 2 11010000 3 11010000 5 11010000 6 11010000 10 11010000 10 11010000 11 11010000 12 11010000 15 110100000 15 1101000000 15 110100000 15 110100000 15 110100000 15 110100000 15 1101000000 15 1101000000 15 1101000000 15 1101000000 15 1101000000 15 1101000000 15 1101000000 15 1101000000 15 1101000000 15 1101000000 15 1101000000 15 1101000000 15 1101000000 15 11010000000 15 110100000000 15 11010000000000	A. Yes. Q. Was anyone else present? A. No. Q. Did Ms. Orsaia take notes? A. I don't recall. Q. Did she have you write a statement as to what you actually told Ms. Newmark? A. No. Q. How did you come to meet with Ms. Orsaia? A. She asked to meet with me. Q. Do you know how long after the August 21, 2006 E-mail? A. I don't recall. Q. What did she say? A. I just told you. Q. She asked to meet with you? A. She asked to meet with me to discuss Carole's concerns. Q. When she asked you to meet with her to discuss Carole's concerns, did she identify what those concerns were?

		ent 21-5	Filed 09/02/2008 Page 7 of 53
	105		107
1	Catherine Magone	1	Catherine Magone
12.0mm Z	A. Yes.	11343Aik 2	and I'm close to her age myself.
жан ш 3	Q. Apart from what you've already	113630м. З	Q. Who is close to Carole's age?
4	testified to, did you say anything else to her	113836 4	A. (Indicating),
5	or did she say anything else to you?	нажим 5	Q. How old are you?
жж ы 6	A. No.	11.363846 6	A. I'm going to be 55.
згэм 7	Q. How long after your telephone	пакаший 7	Q. Do you know how old Ms. Newmark is?
32:0m B	conversation with her did you meet with	11:34;43### 8	A. I think she's 62. I also have many
	Ms. Orsaia?	11:36558M 9	staff in the department that are over 55 and 60.
28M 10	A. I don't recall.	1525м 10	Q. Did Ms. Orsala take any notes as
225/FAM 11	Q. Was it the same day, the next day,	113mmu 11	far as you can tell of what you told her?
32 55AK 12	sometime after?	12 man 12	A. I don't recall,
±13	A. Probably sometime after.	113	Q. Did you request that she document
:33.084H 14	Q. Who spoke first at this meeting?	133816W 14	your response in writing?
2010At 15	A. At the meeting that Pat Orsaia and	1 22224 15	A. No.
16 managari 16	myself were at?	11383444 16	Q. Did she ever ask you to reduce what
332m 17	Q. That's correct.	120k18W 17	you in fact told Ms. Newmark in writing?
250 18	A. I don't recall who spoke first.	113120NI 18	A. Yes.
пазаны 19	Q. What do you recall her saying in	113ayuu 19	Q. When?
120 mm 20	words or substance?	11350m 20	A. After our meeting with Carole.
(30 appur 21	A. That Carole had come to meet with	1038444 21	Q. So you actually met with
122 min 22	her, that she and that she had indicated	112мин 22	Ms. Newmark. How long did your meeting with Pat
23	Carole had indicated that I had said that I was	112650ни 23	Orsala last, the one in which you and she were
·===== 24	giving the position to Nicole because she was	11245EML 24	by yourselves?
.шяш 25	younger and better able to do the job and that	11264720 25	A. 40 minutes.
	COMPU-TRAN SHORTHAND REPORTING		COMPU-TRAN SHORTHAND REPORTING
4	106		108
1 134944 2	Catherine Magone this was constituting ageism.	1	Catherine Magone
	Q. What, if anything, did you say in	11275144	Q. When was the next time any
A	response?	minum 4	communications were held in your presence or
13411AH 4	A. I totally denied that. I in no way	_	which you participated in concerning Carole
	implied or inferred that age had anything to do	11,373,00 5	Newmark following this meeting with Pat Orsaia? A. I don't recall. I don't believe
1300 MM 7	with my decision.	113735W D	there were any.
15izii. 8	Q. Did you reduce that to writing at	1137.000 / 1137.000 B	Q. Pardon?
190304 9	that time to Ms. Orsaia?	11527444 9	A. I don't believe there were any
10	A. No, I did not.	tratame 10	other meetings, but I don't recall.
13427#H 11	Q. Did Ms. Orsaia take any notes of	11 11 11 11 11 11 11 11 11 11 11 11 11	Q. I didn't ask for any meeting. Any
ъмани 12	your meeting with her?	12 12	communications after your meeting with Pat
тэкжи 13	A. I don't recall.	13	Orsaia did you participate in any communications
14 week	Q. Did she record the conversation?	11200w 14	or were there any communications in your
пэсэн 15	A. No.	15 15	presence concerning Carole Newmark?
16 margan	Q. Was anyone else present?	12MQAN 16	A. I don't recall. Can I ask a
превил 17	A. No.	tiangles 17	question?
18 wowen	Q. What else was said by you or her at	113M.55AM 18	MR. KEIL: No.
чэнии 19	this meeting?	паме 19	Q. What was the question you wanted to
тинци 20	A. She told me that she had expressed	1138344 20	ask?
ожна 21	to Carole that she had worked with me for the	11.3834M 21	A. When you are asking me if I met
22	past for four years and that no at no time	100mm 22	with Pat Orsaia at any other time
na 23	during that period had age ever been an issue.	1128,944 23	Q. No, I didn't ask that.
24	She also told Carole she also told me that	173EMMZ 24	A. Okay. Then I need you to rephrase
пэныя 25	she told Carole that I hired her knowing her age	10жэлж 25	the question for me.
	COMPU-TRAN SHORTHAND REPORTING		COMPU-TRAN SHORTHAND REPORTING

	Case 7:07-cv-02861-CS Documer	nt 21-5	Filed 09/02/2008 Page 8 of 53
	109		111
1		1	Catherine Magone
325FA40 A	The following the state of the	олам 2	A. Yeah, I gave everything to them.
3831AH Z	and any other states of the st	пятями 3	Q. So is it fair to say if there is
4	The breather and and and the state of the st	11.42.00.04 4	nothing documented concerning Ms. Newmark's
5		чения 5	absences prior to her expressing her concern to
minus 6	A. Yes.	тычлем 6	Pat Orsaia about your comments or comments she
я ям. 7	Q. When was the next time?	11-12-15/44 7	attributed you making, that there aren't any?
Designation 8	A. I don't recall.	11:47:29AH B	A. I don't recall if what is
таналійы 🥞	Q. With whom?	знаям 9	documented in her file was prior to or after. I
13933 _{600,} 10		1992394 10	just can't recall when it was. But I do have
. 11 mazen	Q. Was this in writing, via telephone	11 масын 11	documentation in her file regarding a discussion
13020mi 12	or in some other manner?	11.42ми 12	about issues with time off.
амен ци 13	A. I'm trying to get my time frames	10423MA 13	Q. Was that after she had complained
	confused. I believe I met with her to	11-47-55 MR 14	about you?
13944 15	discuss but I'm not to discuss Carole's	11:6:6iki 15	A. I don't recall.
·*** 16	unscheduled time off.	1100 дан 16	Q. You indicated you met with Pat
: ночине 17	Q. When after the meeting?	11/00m 17	Orsala about Ms. Newmark's unscheduled time off.
12 12 18	A. See, I'm not sure if it is before	11-00mm 18	When you say unscheduled time off, what do you
1905м 19	or after.	11-0-tow 19	mean by that?
- 20	Q. Before or after what?	11-0-raw 20	A. Calling in sick,
19837Ai 21	A. That meeting. At some point I met	11801M 21	Q. Do you know whether those the
:*: 1879 22		170mm 22	calling in sick were legitimate?
10025mm 23	Q. Did you ever send any E-mails or	11921944 23	A. Legitimate?
1303km 24	anything in connection with that?	11.02.04 24	Q. Yes,
1363AN 25	A. No.	113923м 25	A. She was sick.
,	COMPU-TRAN SHORTHAND REPORTING	TEMPERATURE ALIGNATURE	COMPU-TRAN SHORTHAND REPORTING
	110	 	
1	Catherine Magone	1	112 Catherine Magone
шежи 2	Q. Before you learned that Ms. Newmark	1505ius 2	_ 1
1.00 May 3	had expressed concern to Pat Orsaia about what	11402W 3	Q. Did you have any doubt that she was sick?
transcon 4	she perceived as ageism, did you ever document		A. We don't ask. It's a policy,
1:45km 5	her issue with attendance?	110000 T	
патазан 6	A. Yes.	_	unscheduled time off. The policy is that you
тинам 7	Q. When?	1 ~ _	don't my concern was that she was only there
12012004 8	A. I don't recall.	11-о-ежи 7	a short period of time, and she had already had
зипа 9	Q. Is it fair to say that if there is	1130-65At B	three unscheduled times off. And one day she
10 marrier	none in her personnel file then you didn't?	11:0HM 9	left after an hour and a half, went home sick,
опачи 11	A. No.	:::a::: 10	and then she was requesting an additional day
100000 11 1000200 12	Q. It is not fair to say. Where would	11 massius 11	off to have a procedure.
пятам 12	your documentation of her attendance then appear	11:0:5м 12	Q. And did she document that procedure
назаца 13 назаца 14	if it is not in her personnel file?	11:05km 13	that she was having? Did she submit a doctor's
1101000 15	·	п.е. 14	note?
	A. In human resources?	11:440ж 15	A. She did.
лип эхи 16	Q. Yes.	1134mm 16	Q. Now, are there any rules and
17 minimum 17	A. Or in my office?	1500.07Am 17	regulations with respect to unscheduled time
18 AD	Q. In either one.	113cmm 18	off?
19 instant	A. In my office it would be.	_(Синтрии) 19	A. The rule is that if anything over
119119EM 20	Q. It would be in your office.	тиния 20	five unscheduled time off in a year is
11 may 21	Are there records concerning Ms, Newmark	11,44,1644 21	considered excessive.
?2	that you have but the personnel office does not?	114420M 22	Q. Is there a certain amount of
na. 23	A. I think we gave everything to them.	118621m 23	discretion that is allotted to managers in
11791244 24	MR. KEIL: Just answer the	11.45м 24	determining the scheduled be the unscheduled
1939ян 25	question.	1143im 25	time off?
3180/00-	COMPU-TRAN SHORTHAND REPORTING		COMPU-TRAN SHORTHAND REPORTING

	(Case 7:07-cv-02861-CS Documen	<u>† 21-5</u>	Filed 09/02/2008 Page 9 of 53
		113		115
1		Catherine Magone	1	
2 week	A. Q.	No, black and white.	тытам 2	The state of the s
A wittin		It is black and white. Okay. ere is that contained?	100785Mi 3	
5	A.	It is policy.	11:40:1994 4	Q. Did you ever send anything in
e	Q.	What is the policy?	11:07:00m 5	The state of the s
+:::N 7	Α.	It is a human resource policy.	1197/04 6	
B	Q.	What is the name of the policy?		-
9	A.	Unscheduled time off, I believe.	_	
	Q.	When did you last review it?	119730M 9	
	Д. А.	Yesterday.	11-0735AL 1-0	
12	Q.	What does that policy say?	nscau 12	
13	A.	That any unscheduled time off, five	11.47.00AE 13	<u></u>
14		ered excessive.	15 15 15 15 15 15 15 15 15 15 15 15 15 1	
телен 15	Q.	Did she have five?	15757AU 15	
16	A.	No. I was concerned. I didn't	11 stratum 16	_
THIS 17		r up for it. She had	1375im 17	
18 18	Q.	Pardon me?	11005EM 18	-
19	Ā.	She had three in less than a	1149304 19	
1#35w 20		less than four months.	1194009H 20	
1554m 21	Q.	She was hired in February. And she	11 maine 21	
		as of when?	11:40:24 22	
: ∞ощ 23	A.	I don't recall exactly.	11asuu 23	• • • • • • • • • • • • • • • • • • • •
125 MAR 24	Q.	There is a probationary policy,	11-Hann 24	
12 mmm 25	right?	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	11:Massa 25	_
		COMPU-TRAN SHORTHAND REPORTING		COMPU-TRAN SHORTHAND REPORTING
		11 4	1	116
1		114 Catherine Magone	1	
1 -1	Α.		1 11:45EA 2	Catherine Magone
,	A. Q.	Catherine Magone	_	Catherine Magone A. Actually, only one.
,	Q.	Catherine Magone Correct. Does the probationary policy ny reference to unscheduled time off?	11:4esa 2	Catherine Magone A. Actually, only one.
,	Q. concern a	Catherine Magone Correct. Does the probationary policy ny reference to unscheduled time off? MR. KEIL: Object as to	11:4esa 2	Catherine Magone A. Actually, only one. Q. Who? A. Cheryl Anderson. Q. There has been no other employees
11-1600MI 2 11-1600MI 3	Q. concern a	Catherine Magone Correct. Does the probationary policy ny reference to unscheduled time off? MR. KEIL: Object as to n. Answer if you can.	11:44-11.04 2 11-01-12.04 3 11-01-12.04 4	Catherine Magone A. Actually, only one. Q. Who? A. Cheryl Anderson.
11-98000ML 2 11-9800ML 3 11-9800ML 4 11-9800ML 5	Q. concern a form A.	Catherine Magone Correct. Does the probationary policy ny reference to unscheduled time off? MR. KEIL: Object as to n. Answer if you can. I don't know.	115449888 2 11545988 3 11585988 4 15865888 5	Catherine Magone A. Actually, only one. Q. Who? A. Cheryl Anderson. Q. There has been no other employees that have had more than five or more days? A. My employees don't take sick time.
11-14-20-04	Q. concern a form A. Q.	Catherine Magone Correct. Does the probationary policy ny reference to unscheduled time off? MR. KEIL: Object as to n. Answer if you can. I don't know. Did you ever review that?	11:44 MAR 2 11:45:00 4 4 FEMERICAN 5 11:42:00 6	Catherine Magone A. Actually, only one. Q. Who? A. Cheryl Anderson. Q. There has been no other employees that have had more than five or more days? A. My employees don't take sick time. Q. Hold on. I'm not finished.
11-1600AM 2 2 11-1600AM 3 11-1600AM 5 11-1	Q. concern a form A. Q. A.	Catherine Magone Correct. Does the probationary policy ny reference to unscheduled time off? MR. KEIL: Object as to n. Answer if you can. I don't know. Did you ever review that? Probationary policy? Yes.	1154-0004 2 1160-004 3 1160-004 4 150-004 5 150-004 6	Catherine Magone A. Actually, only one. Q. Who? A. Cheryl Anderson. Q. There has been no other employees that have had more than five or more days? A. My employees don't take sick time. Q. Hold on. I'm not finished. There have been no employees that have
71-9000000 2 71-9000000 3 71-9000000 4 7 7 7 7 7 11-90-10-00 8 71-90-10-00 9 9 11-90-10-00 10 10 10 10 10 10 10 10 10 10 10 10 1	Q. concern a form A. Q. A. Q.	Catherine Magone Correct. Does the probationary policy ny reference to unscheduled time off? MR. KEIL: Object as to n. Answer if you can. I don't know. Did you ever review that? Probationary policy? Yes. Does it contain any provisions for	1154004 2 1154004 4 1154004 5 1154004 6 1154004 7 1154004 8 1154004 9	Catherine Magone A. Actually, only one. Q. Who? A. Cheryl Anderson. Q. There has been no other employees that have had more than five or more days? A. My employees don't take sick time. Q. Hold on. I'm not finished. There have been no employees that have had more than five days absence or unscheduled
71-9000000 2 71-9000000 3 4 4 11-9000000 5 5 11-9000000 6 6 11-9000000 6 8 11-9000000 8 11-9000000 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Q. concern a form A. Q. A. Q. unschedul	Catherine Magone Correct. Does the probationary policy ny reference to unscheduled time off? MR. KEIL: Object as to n. Answer if you can. I don't know. Did you ever review that? Probationary policy? Yes. Does it contain any provisions for ied time off?	11/4/2004 2 11/4/2004 4 11/4/2004 5 11/4/2004 6 11/4/2004 7 11/4/2004 8 11/4/2004 10 11/4/2004 10 11/4/2004 11	A. Actually, only one. Q. Who? A. Cheryl Anderson. Q. There has been no other employees that have had more than five or more days? A. My employees don't take sick time. Q. Hold on. I'm not finished. There have been no employees that have had more than five days absence or unscheduled absences?
11-0-000000 2 1-0-000000 3 1-0-000000 4 1-0-000000 5 1-0-000000 5 1-0-0000000 5 1-0-0000000 1 1-0-0000000 1 1-0-0000000 1 1-0-0000000 1 1-0-0000000 1 1-0-00000000	Q. concern a form A. Q. A. Q. unschedul A.	Catherine Magone Correct. Does the probationary policy ny reference to unscheduled time off? MR. KEIL: Object as to n. Answer if you can. I don't know. Did you ever review that? Probationary policy? Yes. Does it contain any provisions for led time off? I don't know. I can't recall.	11340044 2 11340044 4 1134044 5 11340044 6 11340044 8 11340044 10 11340044 11 11340044 11	A. Actually, only one. Q. Who? A. Cheryl Anderson. Q. There has been no other employees that have had more than five or more days? A. My employees don't take sick time. Q. Hold on. I'm not finished. There have been no employees that have had more than five days absence or unscheduled absences? A. Not to my knowledge.
71-9000000 2 7-1-9000000 3 7-1-9000000 5 7-1-9000000 7 7-1-9000000 8 7-1-9000000 10 10-10-10-10-10-10-10-10-10-10-10-10-10-1	Q. concern a form A. Q. A. Q. unschedul A. Q.	Catherine Magone Correct. Does the probationary policy ny reference to unscheduled time off? MR. KEIL: Object as to n. Answer if you can. I don't know. Did you ever review that? Probationary policy? Yes. Does it contain any provisions for led time off? I don't know. I can't recall. Do you recall where you met with	1154004 2 1154004 4 1154004 5 1154004 6 1154004 7 1154004 8 1154004 10 1154004 10 1154004 11 1154004 12	A. Actually, only one. Q. Who? A. Cheryl Anderson. Q. There has been no other employees that have had more than five or more days? A. My employees don't take sick time. Q. Hold on. I'm not finished. There have been no employees that have had more than five days absence or unscheduled absences? A. Not to my knowledge. Q. No, not to your knowledge?
12-MODERN 2 12-MODERN 4 13-MODERN 5 13-MODERN 7 13-MODERN 9 13-MODERN 10 13-MODERN 11 13-MODERN 11 13-MODERN 11 13-MODERN 12 13-MODERN 13 13-MODERN 13 13-MODERN 13 13-MODERN 14 13-MODERN 14 13-MODERN 14 13-MODERN 14	Q. concern a form A. Q. A. Q. unschedul A. Q. Pat Orsaia	Catherine Magone Correct. Does the probationary policy ny reference to unscheduled time off? MR. KEIL: Object as to n. Answer if you can. I don't know. Did you ever review that? Probationary policy? Yes. Does it contain any provisions for ided time off? I don't know. I can't recall. Do you recall where you met with about Ms. Newmark's unscheduled time	11/4/2004 2 11/4/2004 4 11/4/2004 5 11/4/2004 6 11/4/2004 8 11/4/2004 10 11/4/2004 10 11/4/2004 11 11/4/2004 13 11/4/2004 14	A. Actually, only one. Q. Who? A. Cheryl Anderson. Q. There has been no other employees that have had more than five or more days? A. My employees don't take sick time. Q. Hold on. I'm not finished. There have been no employees that have had more than five days absence or unscheduled absences? A. Not to my knowledge. Q. No, not to your knowledge? A. Not to my knowledge.
71-0000000 2 7 1-0000000 3 4 4 1-0000000 5 5 1-00000000 6 6 1-000000000 6 6 1-000000000 6 8 1-000000000 1 1 1-00000000 1 1 1-00000000	Q. concern a form A. Q. A. Q. unschedul A. Q. Pat Orsaia as you pur	Catherine Magone Correct. Does the probationary policy ny reference to unscheduled time off? MR. KEIL: Object as to n. Answer if you can. I don't know. Did you ever review that? Probationary policy? Yes. Does it contain any provisions for ied time off? I don't know. I can't recall. Do you recall where you met with about Ms. Newmark's unscheduled time tit?	11340044 2 11340244 4 1134044 5 1134044 6 11340244 8 11340244 10 11340244 11 11340244 12 11340244 12 11340244 14 1340244 14	A. Actually, only one. Q. Who? A. Cheryl Anderson. Q. There has been no other employees that have had more than five or more days? A. My employees don't take sick time. Q. Hold on. I'm not finished. There have been no employees that have had more than five days absence or unscheduled absences? A. Not to my knowledge. Q. No, not to your knowledge? A. Not to my knowledge. Q. What about employees in hospital
11-16-00-00-0-1 11-16-00-00-0-1 11-16-00-00-0-1 11-16-00-0-0-0-1 11-16-00-0-0-0-1 11-16-00-0-0-0-1 11-16-00-0-0-0-1 11-16-00-0-0-0-0-1 11-16-00-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0	Q. concern a form A. Q. A. Q. unschedul A. Q. Pat Orsaia as you pur A.	Catherine Magone Correct. Does the probationary policy ny reference to unscheduled time off?	11540000 2 11540000 4 11540000 6 11540000 6 11540000 17 11540000 10 11540000 11 11540000 12 11540000 13 11540000 13 11540000 13 11540000 15 11540000 15 11540000 15 11540000 15 11540000 15	A. Actually, only one. Q. Who? A. Cheryl Anderson. Q. There has been no other employees that have had more than five or more days? A. My employees don't take sick time. Q. Hold on. I'm not finished. There have been no employees that have had more than five days absence or unscheduled absences? A. Not to my knowledge. Q. No, not to your knowledge? A. Not to my knowledge. Q. What about employees in hospital that are not necessarily under your supervision?
11-10-00-00-0-1 11-10-00-0-0-1 11-10-00-0-0-1 11-10-00-0-0-1 11-10-00-0-0-1 11-10-00-0-0-1 11-10-00-0-0-1 11-10-00-0-0-1 11-10-00-0-0-0-	Q. concern a form A. Q. A. Q. unschedul A. Q. Pat Orsaia as you pur A. Q.	Catherine Magone Correct. Does the probationary policy ny reference to unscheduled time off? MR. KEIL: Object as to n. Answer if you can. I don't know. Did you ever review that? Probationary policy? Yes. Does it contain any provisions for ided time off? I don't know. I can't recall. Do you recall where you met with about Ms. Newmark's unscheduled time tit? In her office. When?	1134004 2 1134004 4 1134104 5 1134104 7 1134104 7 1134104 10 1134104 11 11341	A. Actually, only one. Q. Who? A. Cheryl Anderson. Q. There has been no other employees that have had more than five or more days? A. My employees don't take sick time. Q. Hold on. I'm not finished. There have been no employees that have had more than five days absence or unscheduled absences? A. Not to my knowledge. Q. No, not to your knowledge? A. Not to my knowledge. Q. What about employees in hospital that are not necessarily under your supervision? Do you know whether there have been employees
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11-16-00-00-0-1 11-16-00-0-1 11	Q. concern a form A. Q. A. Q. unschedul A. Q. Pat Orsaia as you pur A. Q. A. Q. A. Q.	Catherine Magone Correct. Does the probationary policy ny reference to unscheduled time off?	1134004 2 1104004 4 1104104 5 1104004 6 100404 9 1104004 10 1104004 11 1104004 12 1104004 15 1104004 15 1104004 16 1104004 17 1104004 18 1104004 18 1104004 19	A. Actually, only one. Q. Who? A. Cheryl Anderson. Q. There has been no other employees that have had more than five or more days? A. My employees don't take sick time. Q. Hold on. I'm not finished. There have been no employees that have had more than five days absence or unscheduled absences? A. Not to my knowledge. Q. No, not to your knowledge? A. Not to my knowledge. Q. What about employees in hospital that are not necessarily under your supervision? Do you know whether there have been employees with five or more days absent? A. I don't know.
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1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-	Q. concern a form A. Q. A. Q. unschedul A. Q. Pat Orsaia as you pur A. Q. A. Q. A. Q. A. Q. A. Q. A.	Catherine Magone Correct. Does the probationary policy my reference to unscheduled time off? MR. KEIL: Object as to m. Answer if you can. I don't know. Did you ever review that? Probationary policy? Yes. Does it contain any provisions for led time off? I don't know. I can't recall. Do you recall where you met with about Ms. Newmark's unscheduled time tit? In her office. When? I don't recall. Do you recall whether it was in eptember, some other month? I don't recall.	11340000 2 11340000 3 11341000 6 11342000 6 11342000 10 11342000 10 11342000 11 11342000 11 11342000 11 11342000 11 11342000 11 11342000 11 11342000 11 11342000 20 11342000 21	A. Actually, only one. Q. Who? A. Cheryl Anderson. Q. There has been no other employees that have had more than five or more days? A. My employees don't take sick time. Q. Hold on. I'm not finished. There have been no employees that have had more than five days absence or unscheduled absences? A. Not to my knowledge. Q. No, not to your knowledge? A. Not to my knowledge. Q. What about employees in hospital that are not necessarily under your supervision? Do you know whether there have been employees with five or more days absent? A. I don't know. Q. Have you ever communicated with anyone concerning that?
12-MODELLE 2 12-MODELLE 3 12-MODELLE 3 13-MODELLE 3 13-MO	Q. concern a form A. Q. A. Q. unschedul A. Q. Pat Orsaia as you pu A. Q.	Catherine Magone Correct. Does the probationary policy ny reference to unscheduled time off?	1134000 2 1134000 6 123400 7 123400 6 123400 10 134400 11 134400 11 134400 15 134400 15 134400 15 134400 15 134400 15 134400 15 134400 15 134400 15 134400 15 134400 15 134400 15 134400 15 134400 20 134400 20 134400 20	A. Actually, only one. Q. Who? A. Cheryl Anderson. Q. There has been no other employees that have had more than five or more days? A. My employees don't take sick time. Q. Hold on. I'm not finished. There have been no employees that have had more than five days absence or unscheduled absences? A. Not to my knowledge. Q. No, not to your knowledge? A. Not to my knowledge. Q. What about employees in hospital that are not necessarily under your supervision? Do you know whether there have been employees with five or more days absent? A. I don't know. Q. Have you ever communicated with anyone concerning that? A. I don't understand the question.
11-16-00-00-1 11	Q. concern a form A. Q. A. Q. unschedul A. Q. Pat Orsaia as you pur A. Q. A. Q. A. Q. A. Q. A. Q. A.	Catherine Magone Correct. Does the probationary policy my reference to unscheduled time off? MR. KEIL: Object as to m. Answer if you can. I don't know. Did you ever review that? Probationary policy? Yes. Does it contain any provisions for led time off? I don't know. I can't recall. Do you recall where you met with about Ms. Newmark's unscheduled time tit? In her office. When? I don't recall. Do you recall whether it was in eptember, some other month? I don't recall.	11/4/2004 3 11/4/2004 4 11/4/2004 5 11/4/2004 6 11/4/2004 8 11/4/2004 10 11/4/2004 10 11/4/2004 11 11/4/2004 13 11/4/2004 14 11/4/2004 15 11/4/2004 16 11/4/2004 17 11/4/2004 18 11/4/2004 19 11/4/2004 20 11/4/2004 21 11/4/2004 22 11/4/2004 22 11/4/2004 23	A. Actually, only one. Q. Who? A. Cheryl Anderson. Q. There has been no other employees that have had more than five or more days? A. My employees don't take sick time. Q. Hold on. I'm not finished. There have been no employees that have had more than five days absence or unscheduled absences? A. Not to my knowledge. Q. No, not to your knowledge? A. Not to my knowledge. Q. What about employees in hospital that are not necessarily under your supervision? Do you know whether there have been employees with five or more days absent? A. I don't know. Q. Have you ever communicated with anyone concerning that? A. I don't understand the question. Q. Have you ever learned through any
1-1-10-00-10-1 2 1-1-10-00-10-1 4 1-1-10-10-10-1 5 1-1-10-10-10-1 10 1-1-10-10-10-1 10 1-1-10-10-10-1 11 1-1-10-10-10-1 11 11 11-10-10-10-1 11-10-10-10-10-1 11-10-10-10-1 11-10-10-10-10-1 11-10-10-10-10-10-10-10-10-10-10-10-10-1	Q. concern a form A. Q. A. Q. unschedul A. Q. Pat Orsaia as you pur A. Q. A. Q. A. Q. Calendar?	Catherine Magone Correct. Does the probationary policy ny reference to unscheduled time off?	11340000 2 11340000 6 1234000 6 1234000 10 1234000 10 1234000 10 1234000 11 13400000 11 13400000 11 13400000 11 13400000 11 13400000 11 13400000 11 13400000 11 13400000 11 13400000 11 13400000 11 13400000 11 13400000 11 13400000 11 134000000 11 134000000 11 134000000 11 134000000 11 134000000 11 134000000 11 134000000 11 134000000 11 134000000 11 134000000 11 134000000 11 134000000 11 1340000000 11 1340000000 11 134000000000 11 1340000000 11 1340000000 11 1340000000 11 1340000000 11 1340000000 11 1340000000 11 1340000000 11 1340000000 11 13400000000 11 1340000000 11 1340000000 11 1340000000 11 1340000000 11 1340000000 11 1340000000 11 1340000000 11 1340000000 11 1340000000 11 1340000000 11 1340000000 11 1340000000 11 1340000000 11 13400000000 11 1340000000 11 1340000000 11 13400000000 11 1340000000000000000000000000000000000	A. Actually, only one. Q. Who? A. Cheryl Anderson. Q. There has been no other employees that have had more than five or more days? A. My employees don't take sick time. Q. Hold on. I'm not finished. There have been no employees that have had more than five days absence or unscheduled absences? A. Not to my knowledge. Q. No, not to your knowledge? A. Not to my knowledge. Q. What about employees in hospital that are not necessarily under your supervision? Do you know whether there have been employees with five or more days absent? A. I don't know. Q. Have you ever communicated with anyone concerning that? A. I don't understand the question. Q. Have you ever learned through any source that there have been employees who have
11-14-000000 2 1-14-000000 3 1-14-000000 5 1-14-000000 5 1-14-000000 5 1-14-000000 1 1-14-000000 1 1-14-000000 1 1-14-000000 1 1-14-000000 1 1-14-000000 1 1-14-000000 1 1-14-000000 1 1-14-0000000 1 1-14-0000000 2 1-14-0000000 2 1-14-0000000 2 1-14-0000000 2 1-14-0000000 2 1-14-0000000 2 1-14-0000000 2 1-14-0000000 2 1-14-0000000 2 1-14-00000000 2 1-14-0000000000000000000000000000000000	Q. concern a form A. Q. A. Q. unschedul A. Q. Pat Orsaia as you pur A. Q. A. Q. A. Q. Calendar? A. Q. calendar? A. Q.	Catherine Magone Correct. Does the probationary policy ny reference to unscheduled time off? MR. KEIL: Object as to n. Answer if you can. I don't know. Did you ever review that? Probationary policy? Yes. Does it contain any provisions for ied time off? I don't know. I can't recall. Do you recall where you met with about Ms. Newmark's unscheduled time tit? In her office. When? I don't recall. Do you recall whether it was in eptember, some other month? I don't recall. Do you recall do you maintain a	11/4/2004 3 11/4/2004 4 11/4/2004 5 11/4/2004 6 11/4/2004 8 11/4/2004 10 11/4/2004 10 11/4/2004 11 11/4/2004 13 11/4/2004 14 11/4/2004 15 11/4/2004 16 11/4/2004 17 11/4/2004 18 11/4/2004 19 11/4/2004 20 11/4/2004 21 11/4/2004 22 11/4/2004 22 11/4/2004 23	A. Actually, only one. Q. Who? A. Cheryl Anderson. Q. There has been no other employees that have had more than five or more days? A. My employees don't take sick time. Q. Hold on. I'm not finished. There have been no employees that have had more than five days absence or unscheduled absences? A. Not to my knowledge. Q. No, not to your knowledge? A. Not to my knowledge. Q. What about employees in hospital that are not necessarily under your supervision? Do you know whether there have been employees with five or more days absent? A. I don't know. Q. Have you ever communicated with anyone concerning that? A. I don't understand the question. Q. Have you ever learned through any

			ent 21-5	Filed 09/	/02/2008 Page 10 of 53
		117			119
1		Catherine Magone	1	_	Catherine Magone
**** Z	Α.	No.	(151 5044 2	A.	Ву
нош 3	Q.	Cheryl Anderson is who?	1151:1244 3	Q.	Was it a reprimand?
o- 4	A.	She is the assistant director for	1181 100r 4	A.	Yes.
5	risk mana		тыны 5	Q.	What was it?
415M 6	Q.	Is she still employed there?	11#1#7AH 6	A.	It was a corrective action.
ели 7	A.	Yes.	115121ML 7	Q.	Did you ever submit any such
#17M 8	Q.	How many days has she been absent?	214121M 8	corrective	action with respect to Ms. Newmark?
9 سنيم		MR. KEIL: Over what period	115120M 9	A.	No.
:maxim 10	of tir	ne?	1151294H 10	Q.	And Ms. Anderson has been the only
		MS. NICAJ: Withdrawn.	11 MERCH	employee (who has had five or more episodes since
12 سيده.	Q.	When was Ms. Anderson absent more	nassau 12	you've bee	n hired as director?
13	than five d	lays that was unscheduled?	115101MI 13	A.	To my knowledge.
жж 14:	A.	2007.	110000ju 14	Q.	Is there a reason why you wouldn't
15	Q.	What about for any prior years?	1751:0m 15	have learn	ed of that, an employee's absences?
16 سندس	Á.	No.	17515ÚN 16	A.	No, I know of them.
	Q.	How many days was she absent?	11515Um 17	Q.	How many employees do you
18	A.	It was actually the period 2006 to	1120mm 18	supervise?	The state of the s
		vas whatever month.	19 man 19	Α.	21.
10 20 m	Q.	How many days was she absent?	11:32:32M 20	Q.	How many episodes did Ms. Newmark
04	Α.	They're episodes, not days, just to	1152 May 20	have, three	-
22		nd there were, I believe, six.		A.	c: Three.
			11:51:HAN 22	•	- m.r. —
23	Q.	When you say episodes, what do you	113EHM 23	Q,	And there were three separate
300m 24	mean by ti		11332244 24		that means, right?
13037AL 25	Α.	Each it could be three days is	11:82.MM 25	Α.	Yes.
- —		COMPU-TRAN SHORTHAND REPORTING			COMPU-TRAN SHORTHAND REPORTING
		118			120
1		Catherine Magone	1	•	Catherine Magone
150-12AH Z	only one		11-11-24-9N Z	Q.	Do you know how many days in total
1900 HARLINGS	Q.	Oh, so you are distinguishing it.	11-32-May 3	that amou	
1:5017/46 4		episodes were there?	11:82:274H 4	Α.	No.
1.00.22Mu 5	Α,	Six.	ия <i>ши</i> 5	Q.	Was Ms. Anderson a probationary
	Q.	And there are six different	11st 2000 6		at the time she had six episodes?
120m 7	**	hat she was absent?	11:9:ЭРМ 7	A.	No.
15027AM 8	A.	Yes.	паками 8	Q.	Going back to Ms. Newmark now, when
: экатам 9	Q.	How many days in total was she	11#25Em 9	was the	because you although you testified
10 سمد	absent?		11555594 10	about that	communication about unscheduled time
	A.	Oh, I don't recall. You are only	εέεω 11	off, you do	n't recall the time frame, whether it
12 سس	counted -	- you only count the episode. You	11,550,44 12	was before	or after your meeting with Pat Orsaia
13	don't pen	alize. If it's three days they are out	113mm 13	to discuss i	Ms. Newmark's concerns about you, is
::-inite 14	sick, it is	considered one episode. So you are	115250Mg 14	that right?	
15	allowed to	o have five you can't have any more	naisou 15	A.	I don't recall. I don't want to
	than five	episodes.	,, _{state} 16	say some	thing that I'm not a hundred percent
	Q.	So she had six episodes?	1155HUM 17	sure of.	•
18	A.	Yes.	11.65TO,UE 18	Q.	What I'm trying to do, however, is
19	Q.	What were the circumstances? Was	115x12mi 19		ck to your that meeting in which
20 سم	she fired?		перации 20	. –	told you that Ms. Newmark expressed
3054NE 21	Α.	No.	11553MM 21		bout ageism in reference to you. When
?2	Q.	Did you submit any warnings to	11312344 22		xt time you, in fact, recall
23	Ms. Anders	· -	1151264 23		ating with anyone concerning Ms. Newmark
24	A.	Yes.	11557AM 24	after that?	rend with anyone concerning us, Mawillark
~	Q.	By way of what?	1133300 25	airci Mati	MD VETI - Truck to plants.
151 May 25		by way of what? COMPU-TRAN SHORTHAND REPORTING	1733500 Z3		MR. KEIL: Just to clarify,
		TOMBILIONN COMBINANT DEPRIMENT		_	COMPU-TRAN SHORTHAND REPORTING

	Case 7:07-cv-02861-CS Document	: 21-5 -	Filed 09/02/2008 Page 11 of 53
1	Catherine Magone		123
	_	1	Catherine Magone
2 بسيدن <u>و</u> 2	on any subject?	цяяны 2	that E-mail to Pat Orsaia?
52:04M 3	MS. NICAJ: On any subject.	темполии З	A. Yes.
"····, 4	A. I met with Pat Orsaia to discuss	11362346 4	Q. So you saw Ms. Newmark's September
5	some of my issues regarding Carole's	паказы 5	29 E-mail to Pat Orsaia, is that right?
154(15)M 6	performance.	1158.52M 6	A. Yes, yes.
rseinte /	Q. When, it was after, after this?	1141AW 7	Q. And you were responding to that?
13427AM: Ö	A. Yes.	11(50.00)	A. Yes.
1:H21M 9	Q. Do you recall attending a meeting	11:51:57AH 9	Q. Now, I'm going to direct your
istanii 10	with Ms. Newmark and Pat Orsaia concerning	панци 10	attention to you indicated that you had
15001AH 11	Ms. Newmark's concerns?	1 nasswi 11	discussed with Pat Orsaia some issues concerning
12	A. Yes.	паням 12	Ms. Newmark, is that right?
1344AN 13	Q. Do you recall when that was?	itseinu 13	A. Yes.
14	A. Somewhere around August 22,	11994ТЕМ 14	Q. Now, you also at one point met with
15137AH: 15	perhaps. I don't recall the exact date.	ாவல்ல 15	Ms. Newmark, is that right, and Pat Orsaia
16	(Plaintiff's Exhibit 5	11-1-25-4м 16	A. Yes.
17	9/29/06 Memo marked for identification, as	нежи 17	Q concerning Ms. Newmark's concern
18	of this date.)	11.500min 18	with respect to Nicole Serra and the comments
19 million 19	Q. I'm going to show you what has been	1150mm 19	she attributed you making?
156:17AM 20	marked as Plaintiff's Exhibit 5. Do you	20 يشطعوا	A. Yes,
150.DW 21	recognize that document?	пяски 21	Q. And that occurred on September 28,
_{ான்கன்} 22	Å. Ido.	115%m 22	2006, is that right?
154.jew 23	Q. And when did you first see that	11.899884 23	A. Yes.
имем 24	document, what is marked as Plaintiff's Exhibit	11 ,2444 24	Q. Where did you, Ms. Newmark and
115KMW 25	57	119994 25	Ms. Orsaia meet?
	COMPU-TRAN SHORTHAND REPORTING		COMPU-TRAN SHORTHAND REPORTING
_	122	1	124
1	Catherine Magone	1 1	Catherine Magone
11.00 Z	A. I don't recall if it was — I don't	11000000 2	 A. Her office, Pat Orsaia's office.
1720-жың 3			
_	recall if I got this or if it was given to me	тээхэлэн З	Q. Was this a prearranged meeting?
112770044 4	recently, I don't recall.	12:00:01PH 4	A. Yes.
11575044 4 11673644 5	recently. I don't recall. Q. I'm going to show you what is going	12-202-01 PM 4	A. Yes.Q. Did you get to the meeting before
116720M4 5	recently. I don't recall. Q. I'm going to show you what is going to be marked as Plaintiff's Exhibit 6.	1220001PM 4. 1220001PM 5 129000PM 6	A. Yes. Q. Did you get to the meeting before Ms. Newmark?
11672544 5 11672544 6	recently. I don't recall. Q. I'm going to show you what is going to be marked as Plaintiff's Exhibit 6. (Plaintiff's Exhibit 6	120001PM 4. 120001PM 5. 120001PM 6. 120001PM 7	A. Yes. Q. Did you get to the meeting before Ms. Newmark? A. I don't recall.
11673646 5 11672744 6 7	recently. I don't recall. Q. I'm going to show you what is going to be marked as Plaintiff's Exhibit 6. (Plaintiff's Exhibit 6 10/4/06 Memo marked for identification, as	120001PM 4. E20001PM 5. 12000PM 6. 12000PM 7. 1200-0PM 8.	 A. Yes. Q. Did you get to the meeting before Ms. Newmark? A. I don't recall. Q. Do you recall who spoke first
11673944 5 11672944 6 7 8 11673444 9	recently. I don't recall. Q. I'm going to show you what is going to be marked as Plaintiff's Exhibit 6. (Plaintiff's Exhibit 6 10/4/06 Memo marked for identification, as of this date.)		A. Yes. Q. Did you get to the meeting before Ms. Newmark? A. I don't recall. Q. Do you recall who spoke first during the meeting?
116729AM 5 116729AM 6 7 8 116729AM 9 116729AM 10	recently. I don't recall. Q. I'm going to show you what is going to be marked as Plaintiff's Exhibit 6. (Plaintiff's Exhibit 6 10/4/06 Memo marked for identification, as of this date.) Q. I direct your attention to what is		A. Yes. Q. Did you get to the meeting before Ms. Newmark? A. I don't recall. Q. Do you recall who spoke first during the meeting? A. I don't recall.
116736444 5 11.623644 6 7 8 11.523644 9 11.523644 10	recently. I don't recall. Q. I'm going to show you what is going to be marked as Plaintiff's Exhibit 6. (Plaintiff's Exhibit 6 10/4/06 Memo marked for identification, as of this date.) Q. I direct your attention to what is marked as Plaintiff's Exhibit 6. Do you see		A. Yes. Q. Did you get to the meeting before Ms. Newmark? A. I don't recall. Q. Do you recall who spoke first during the meeting? A. I don't recall. Q. What in words or substance did
11673644 5 11673644 6 7 8 11673644 9 1167364 10 1167364 11	recently. I don't recall. Q. I'm going to show you what is going to be marked as Plaintiff's Exhibit 6. (Plaintiff's Exhibit 6 10/4/06 Memo marked for identification, as of this date.) Q. I direct your attention to what is marked as Plaintiff's Exhibit 6. Do you see that?		A. Yes. Q. Did you get to the meeting before Ms. Newmark? A. I don't recall. Q. Do you recall who spoke first during the meeting? A. I don't recall. Q. What in words or substance did Ms. Newmark say at this meeting?
11673644 5 11673644 6 7 8 11573144 10 11573644 11 11673664 12 11573644 13	recently. I don't recall. Q. I'm going to show you what is going to be marked as Plaintiff's Exhibit 6. (Plaintiff's Exhibit 6 10/4/06 Memo marked for identification, as of this date.) Q. I direct your attention to what is marked as Plaintiff's Exhibit 6. Do you see that? A. Yes.		A. Yes. Q. Did you get to the meeting before Ms. Newmark? A. I don't recall. Q. Do you recall who spoke first during the meeting? A. I don't recall. Q. What in words or substance did Ms. Newmark say at this meeting? A. Well, she reiterated the issue of
116736444 5 114525444 6 7 8 114575444 10 114575444 11 11675544 13 114755444 14	recently. I don't recall. Q. I'm going to show you what is going to be marked as Plaintiff's Exhibit 6. (Plaintiff's Exhibit 6 10/4/06 Memo marked for identification, as of this date.) Q. I direct your attention to what is marked as Plaintiff's Exhibit 6. Do you see that? A. Yes. Q. Do you recognize this document?	12000000 4. 12000000 7. 12000000 7. 12000000 10. 12000000 10. 12000000 11. 12000000 12. 12000000 12.	A. Yes. Q. Did you get to the meeting before Ms. Newmark? A. I don't recall. Q. Do you recall who spoke first during the meeting? A. I don't recall. Q. What in words or substance did Ms. Newmark say at this meeting? A. Well, she reiterated the issue of ageism, and I attempted to clarify what it was
11673044 5 11673044 6 7 8 11673044 10 1167304 11 1167304 12 1167304 13 1167504 14 1166504 15	recently. I don't recall. Q. I'm going to show you what is going to be marked as Plaintiff's Exhibit 6. (Plaintiff's Exhibit 6 10/4/06 Memo marked for identification, as of this date.) Q. I direct your attention to what is marked as Plaintiff's Exhibit 6. Do you see that? A. Yes. Q. Do you recognize this document? A. Yes.		A. Yes. Q. Did you get to the meeting before Ms. Newmark? A. I don't recall. Q. Do you recall who spoke first during the meeting? A. I don't recall. Q. What in words or substance did Ms. Newmark say at this meeting? A. Well, she reiterated the issue of ageism, and I attempted to clarify what it was what I meant when I used the word "young."
11673044 5 11673044 10 1157304 10 1157304 11 1167304 12 1157304 14 1154504 15 116604 15	recently. I don't recall. Q. I'm going to show you what is going to be marked as Plaintiff's Exhibit 6. (Plaintiff's Exhibit 6 10/4/06 Memo marked for identification, as of this date.) Q. I direct your attention to what is marked as Plaintiff's Exhibit 6. Do you see that? A. Yes. Q. Do you recognize this document? A. Yes. Q. What do you recognize it to be?		A. Yes. Q. Did you get to the meeting before Ms. Newmark? A. I don't recall. Q. Do you recall who spoke first during the meeting? A. I don't recall. Q. What in words or substance did Ms. Newmark say at this meeting? A. Well, she reiterated the issue of ageism, and I attempted to clarify what it was what I meant when I used the word "young." Q. I'm going to direct your attention
11673644 5 11673644 6 7 8 11673644 10 11673644 11 11673644 13 11673644 14 1166644 15	recently. I don't recall. Q. I'm going to show you what is going to be marked as Plaintiff's Exhibit 6. (Plaintiff's Exhibit 6 10/4/06 Memo marked for identification, as of this date.) Q. I direct your attention to what is marked as Plaintiff's Exhibit 6. Do you see that? A. Yes. Q. Do you recognize this document? A. Yes. Q. What do you recognize it to be? A. A memo to Carole Newmark and cc'd		A. Yes. Q. Did you get to the meeting before Ms. Newmark? A. I don't recall. Q. Do you recall who spoke first during the meeting? A. I don't recall. Q. What in words or substance did Ms. Newmark say at this meeting? A. Well, she reiterated the issue of ageism, and I attempted to clarify what it was what I meant when I used the word "young." Q. I'm going to direct your attention to paragraph No. 3 of Ms. Newmark's E-mail to
11673644 5 11673644 6 7 8 11573144 10 11573144 11 11673644 13 11573744 14 11583644 15 11683644 15 11683644 16 11683644 17 11583144 18	recently. I don't recall. Q. I'm going to show you what is going to be marked as Plaintiff's Exhibit 6. (Plaintiff's Exhibit 6 10/4/06 Memo marked for identification, as of this date.) Q. I direct your attention to what is marked as Plaintiff's Exhibit 6. Do you see that? A. Yes. Q. Do you recognize this document? A. Yes. Q. What do you recognize it to be? A. A memo to Carole Newmark and cc'd to Pat Orsaia.	120001764	A. Yes. Q. Did you get to the meeting before Ms. Newmark? A. I don't recall. Q. Do you recall who spoke first during the meeting? A. I don't recall. Q. What in words or substance did Ms. Newmark say at this meeting? A. Well, she reiterated the issue of ageism, and I attempted to clarify what it was what I meant when I used the word "young." Q. I'm going to direct your attention to paragraph No. 3 of Ms. Newmark's E-mail to Pat Orsaia which you received and you responded
11673644 5 11673644 9 1157364 10 1157364 11 1167364 12 1157364 15 1156664 15 1156664 17 11566144 18 11561244 19	recently. I don't recall. Q. I'm going to show you what is going to be marked as Plaintiff's Exhibit 6. (Plaintiff's Exhibit 6 10/4/06 Memo marked for identification, as of this date.) Q. I direct your attention to what is marked as Plaintiff's Exhibit 6. Do you see that? A. Yes. Q. Do you recognize this document? A. Yes. Q. What do you recognize it to be? A. A memo to Carole Newmark and cc'd to Pat Orsaia. Q. Is this a memo or an E-mail?		A. Yes. Q. Did you get to the meeting before Ms. Newmark? A. I don't recall. Q. Do you recall who spoke first during the meeting? A. I don't recall. Q. What in words or substance did Ms. Newmark say at this meeting? A. Well, she reiterated the issue of ageism, and I attempted to clarify what it was what I meant when I used the word "young." Q. I'm going to direct your attention to paragraph No. 3 of Ms. Newmark's E-mail to Pat Orsaia which you received and you responded to. No. 3 reads, "When we went over the issue
11673644 5 11673644 10 11673644 10 11673644 13 11673644 15 1166644 15 1166644 17 1166644 17 1166644 19 1166644 19 1166644 19	recently. I don't recall. Q. I'm going to show you what is going to be marked as Plaintiff's Exhibit 6. (Plaintiff's Exhibit 6 10/4/06 Memo marked for identification, as of this date.) Q. I direct your attention to what is marked as Plaintiff's Exhibit 6. Do you see that? A. Yes. Q. Do you recognize this document? A. Yes. Q. What do you recognize it to be? A. A memo to Carole Newmark and cc'd to Pat Orsaia. Q. Is this a memo or an E-mail? A. E-mail.	12000000 4 120000000 5 120000000 7 120000000 10 120000000 10 120000000 12 12	A. Yes. Q. Did you get to the meeting before Ms. Newmark? A. I don't recall. Q. Do you recall who spoke first during the meeting? A. I don't recall. Q. What in words or substance did Ms. Newmark say at this meeting? A. Well, she reiterated the issue of ageism, and I attempted to clarify what it was what I meant when I used the word "young." Q. I'm going to direct your attention to paragraph No. 3 of Ms. Newmark's E-mail to Pat Orsaia which you received and you responded to. No. 3 reads, "When we went over the issue of ageism, Cathle denied that she said 'Nicole
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11873844 5 11873844 9 11873844 10 11873844 11 11873844 13 11873844 15 11883844 15 11883844 16 11883844 17 11883844 18 11883844 19 11883844 20 11883844 21 122 112 23	recently. I don't recall. Q. I'm going to show you what is going to be marked as Plaintiff's Exhibit 6. (Plaintiff's Exhibit 6 10/4/06 Memo marked for identification, as of this date.) Q. I direct your attention to what is marked as Plaintiff's Exhibit 6. Do you see that? A. Yes. Q. Do you recognize this document? A. Yes. Q. What do you recognize it to be? A. A memo to Carole Newmark and cc'd to Pat Orsaia. Q. Is this a memo or an E-mail? A. E-mail. Q. Now, you see, "Carole, I'm writing in response to an E-mail that you sent to Pat Orsaia," do you see that? A. Yes.	12000000 4 120000000 5 120000000 7 120000000 10 120000000 11 120000000 12 12	A. Yes. Q. Did you get to the meeting before Ms. Newmark? A. I don't recall. Q. Do you recall who spoke first during the meeting? A. I don't recall. Q. What in words or substance did Ms. Newmark say at this meeting? A. Well, she reiterated the issue of ageism, and I attempted to clarify what it was what I meant when I used the word "young." Q. I'm going to direct your attention to paragraph No. 3 of Ms. Newmark's E-mail to Pat Orsaia which you received and you responded to. No. 3 reads, "When we went over the issue of ageism, Cathle denied that she said 'Nicole was younger and could handle the job better than I could.' She stated that she did say that
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11672000 5 11672000 6 7 8 11672000 10 11672000 10 11672000 11 11672000 15 11660000 15 11660000 15 11660000 17 116600000 17 11660000 17 116	recently. I don't recall. Q. I'm going to show you what is going to be marked as Plaintiff's Exhibit 6. (Plaintiff's Exhibit 6 10/4/06 Memo marked for identification, as of this date.) Q. I direct your attention to what is marked as Plaintiff's Exhibit 6. Do you see that? A. Yes. Q. Do you recognize this document? A. Yes. Q. What do you recognize it to be? A. A memo to Carole Newmark and cc'd to Pat Orsaia. Q. Is this a memo or an E-mail? A. E-mail. Q. Now, you see, "Carole, I'm writing in response to an E-mail that you sent to Pat Orsaia," do you see that? A. Yes. Q. Do you now recall actually seeing COMPU-TRAN SHORTHAND REPORTING	120000000	A. Yes. Q. Did you get to the meeting before Ms. Newmark? A. I don't recall. Q. Do you recall who spoke first during the meeting? A. I don't recall. Q. What in words or substance did Ms. Newmark say at this meeting? A. Well, she reiterated the issue of ageism, and I attempted to clarify what it was what I meant when I used the word "young." Q. I'm going to direct your attention to paragraph No. 3 of Ms. Newmark's E-mail to Pat Orsaia which you received and you responded to. No. 3 reads, "When we went over the issue of ageism, Cathie denied that she said 'Nicole was younger and could handle the job better than I could.' She stated that she did say that Nicole was young and could take things in like a sponge." Did you say that at the meeting with Pat Orsaia and Ms. Newmark? COMPU-TRAN SHORTHAND REPORTING

	Case 7:07 cv 02861 CS Document	21-5	Filed 09/02/2008 Page 12 of 53
1	125 I Catherine Magone		127
arabni 2	A. Not that exact word.	1 2	Catherine Magone
	Q. What did you say about Ms. Serra	120420Au 2	The state of the s
4	being young and taking things up like a sponge?		the state of the probation has been
5	A. I said that she was young in her	1220139899 4	extended. This should not be held from me until
07:11PM 6	career and that she took things in like a	1234289W 5	I receive my performance evaluation." Did the
2215FM 7	sponge. I did say that.	1204.0PM 6	fact that her probation was extended, was that
m-17+4 8	Q. Did you ever deny in your other	7200-MPM (communicated to her on September 28? A. I believe it was before that
_{желен} 9	in your correspondence to Ms. Newmark that what	Partern D	
10 massau	you said about Nicole being young and could take	transmir 9	Q. Did you ever put that in writing to
·#2369M 11	things up like a sponge being stated at the	10 mains 10	her?
12	meeting with Ms. Orsaia?	11 minimit 11	A. No.
: market 13	A. Did I ever deny it?	12 tzmm 12	Q. Did you ever advise the human
:10 mm 14	Q. Yes.	12:0k100M 13	resources in writing that you were extending
10234FU 15	A. That she could take things in like	14 15	Ms. Newmark's probation?
200,400 15	a sponge in	1205:12PM 15	A. No.
17 LESON 17	Q. No. At the meeting with	120011509 16	Q. How long was her probationary
	Ms. Orsaia, she, Ms. Newmark, attributed that	17 to 18	period?
2000w 18 2005wu 19	you said at that meeting that Nicole Serra was	1955 NATES 18	A. Six months.
1234HL 20	young and could take things up could take	1800:1794 19	Q. And when was it due to expire?
200 20 21		17040094 20	A. The end of September,
2000m 22	things in like a sponge, close quote. Do you see that?	1745 21	Q. Was it, in fact, September 20 that
		1201201 22	It had expired?
2,00 amy 23	A. Yes,	12.00 23	A. Yes,
этоми 24 25	Q. Did you and you were responding	12mm. 24	Q. So at the meeting on September 28
_{гометн} 25	to her E-mail, is that right, Ms. Newmark's	12000 PM 25	there was a discussion on the probationary
	COMPU-TRAN SHORTHAND REPORTING	 	COMPU-TRAN SHORTHAND REPORTING
1	126 Catherine Magone	۱ .	128
20011SPM 2	E-mail to Pat Orsaia?	1	Catherine Magone
12m34m Z	A. Yes.	1285.00PA Z	period being extended, is that right?
	Q. Did you ever deny saying stating		A. Yes.
	that quote at the meeting with Ms. Orsaia?	11000m 4	Q. Along with the meeting, along with
12022Fe 6	A. Yes.	###s## 5 E	it, Ms. Newmark also expressed her concern about
120042704 7	Q. You denied it?	12990194 6	ageism, is that right?
12002FM 8	A. Yes.	namu 7	A. Yes.
1000 P	Q. Where is that contained?	1209999 8	(Off the record discussion.)
120027794 10	MR. KEIL: Just to clarify,	1240 PM 40	MS. NICAJ: Plaintiff's
12003200 11	you are referring to Plaintiff's Exhibit	10 xxxxxx	Exhibit 7.
12 00 32 PM 12	5?	11	(Plaintiff's Exhibit 7
vanie 13	Q. Five with respect to Ms, Newmark's	12	10/5/06 Memo marked for identification, as
1200200 14	E-mail and then her response in Plaintiff's	1.4	of this date.)
12002094 15	Exhibit 6.	14 ame	Q. I'm going to direct your attention
15 15 15 15 15 15 15 15 15 15 15 15 15 1	A. I don't understand your question.	12400m 15	to Plaintiff's Exhibit 7 for identification. Do
15 17	This is Carole's recollection of that meeting,	15 17 17 17 17 17 17 17 17 17 17 17 17 17	you recognize that document?
18 man 18	not mine.	12 12 12 12 12 12 12 12 12 12 12 12 12 1	A. I do.
120025004 19	Q. Did you ever deny stating in your	•	Q. What do you recognize it to be?
1200 teru 20	subsequent E-mail in response that you told her	19 20	A. An E-mail that I sent to Pat
12mmu 21	in the meeting with Pat Orsaia that Nicole was	20 24	Orsaia.
22	young and could take things in like a sponge?	1200 21	Q. What is that in reference to?
122 23	A. No.	11.01.22ml 22	A. It's in reference to Exhibit 6.
irina 24		120020FK 23	Q. What did you mean, "I just wanted
1200 MAR 25	Q. I'm going to direct your attention to No. 1 of Plaintiff's Exhibit 5, the paragraph	125631PM 24	you to know that Carole picked up her E-mail at
45 BM 68	COMPU-TRAN SHORTHAND REPORTING	1201.200 25	5:30 last night"? How did you know that?
2/26/2008	11:16:52 AM Page 125 to	630 -6 -00	COMPU-TRAN SHORTHAND REPORTING

	Case 7:07-cv-02861-CS Document	<u>21-5 </u>	Filed 09/02/2008 Page 13 of 53
	129		131
1	Catherine Magone	1	Catherine Magone
»»» 2 ∵ ?	A. How did I know she picked up her E-mail at 5:30?		
as-4994 J - A		1220,000 3	
4		72:37:40% 4	A. I don't recall.
5	A. Because I can tell on my E-mail.	122250m .5	Q. It was after that meeting on
7	Q. Did you request a receipt, is that	13-25-de-in-Q	September 28, 2006?
sansau f	what you did?	1202-ини 7	A. We had been talking about it prior
construct D	A. I get receipts on everybody.	чины 8	to that.
:0000 9	Q. Do you default to get a receipt?	12-32-MAPM 9:	Q. When did you first talk about it?
:245190 10	A. Yes,	1220209M 10	A. Well, I had concerns for some time
2013191 11	Q. "Has not responded to me or spoken	12202094 11	about Carole's performance.
:00:00 12	to me about it." What were you referring to,	182030=4 12	Q. When did you first start talking to
::::::::::: 13	about what, your E-mail?	ъши 13	Pat Orsaia about possibly terminating
л яния 14	A. About my E-mail.	ядыны 14	Ms. Newmark's employment?
յանամահա 15	Q. Did you know what her schedule was	17:30 300 PM 15	A. After that meeting.
201201PM 16	between 5:30 on October 4 through 10:50, October	150 and 16	Q. After the September 28 meeting?
200pm 17	57	17 name 17	A. No. Actually, I believe it was
200 <i>0</i> 000 18	A. No.	18 marie	before that.
24mmu 19	Q. Did you know whether she had, in	1220 SEPRE 19	Q. When?
200:14PU 20	fact, an opportunity to respond to your E-mail?	1233349м 20	A. I don't recall the exact date. It
_{говатия} 21	A. No.	1222 5 00 21	was that week.
20021M 22	Q. Ms. Newmark was fired on October 5,	12335074 22	Q. That week prior to the meeting?
1.01.20PM 23	wasn't she?	пэном 23	A. Yes.
ъж 24	A. Yes, she was.	1254300% 24	Q. You already learned that she had
······· 25	Q. When was that you were present	и нем 25	you already learned at that point that she had
	COMPU-TRAN SHORTHAND REPORTING		COMPU-TRAN SHORTHAND REPORTING
	130		4
			132
1	Catherine Magone	1	Catherine Magone
1 1200,500m 2	Catherine Magone for when her termination was communicated to	1 1234500-iu 2	Catherine Magone expressed Ms. Newmark had expressed concern
1 1200,0494 2 1200,0494 3	Catherine Magone for when her termination was communicated to her?	1 -	Catherine Magone expressed Ms. Newmark had expressed concern about possible ageism on your part, is that
1 1200-2494 2 1200-2794 3 1200-2794 4	Catherine Magone for when her termination was communicated to her? A. Yes.	1234 <i>0</i> 00% 2	Catherine Magone expressed Ms. Newmark had expressed concern about possible ageism on your part, is that right?
29920PM 3	Catherine Magone for when her termination was communicated to her? A. Yes. (Lunch recess taken.)	12:34:00Fia 2 12:34:07Fix 3	Catherine Magone expressed Ms. Newmark had expressed concern about possible ageism on your part, is that right? A. Yes.
200300 2 200300 3 200300 4	Catherine Magone for when her termination was communicated to her? A. Yes. (Lunch recess taken.) Q. There was a time Ms. Newmark was	1234500 2 1234500 3 1234500 4	Catherine Magone expressed Ms. Newmark had expressed concern about possible ageism on your part, is that right? A. Yes. Q. When did you first document your
2000000 2 2000000 3 2000000 4 2000000 5	Catherine Magone for when her termination was communicated to her? A. Yes. (Lunch recess taken.) Q. There was a time Ms. Newmark was terminated?	1234 20074 2 1234 2074 4 1234 2074 5 1234 2074 7	Catherine Magone expressed Ms. Newmark had expressed concern about possible ageism on your part, is that right? A. Yes. Q. When did you first document your intent to explore terminating Ms. Newmark's
1200,049a 2 1200,0179a 3 1200,0179a 4 1200,0179a 5 1201,0179a 6 7 1201,0179a 7 12	Catherine Magone for when her termination was communicated to her? A. Yes. (Lunch recess taken.) Q. There was a time Ms. Newmark was terminated? A. Yes.	1234.50% 2 1234.50% 3 1234.50% 4 1234.50% 5	Catherine Magone expressed Ms. Newmark had expressed concern about possible ageism on your part, is that right? A. Yes. Q. When did you first document your intent to explore terminating Ms. Newmark's employment?
1200,000 2 1200,000 4 1 1 1 1 1 1 1 1 1	Catherine Magone for when her termination was communicated to her? A. Yes. (Lunch recess taken.) Q. There was a time Ms. Newmark was terminated? A. Yes. Q. Whose decision was that?	12343044 2 12343144 4 12343244 6 12343244 8 12343244 9	Catherine Magone expressed Ms. Newmark had expressed concern about possible ageism on your part, is that right? A. Yes. Q. When did you first document your intent to explore terminating Ms. Newmark's employment? A. I have no documentation of that.
1200,0494 2 200,02744 4 1 1 1 1 1 1 1 1	Catherine Magone for when her termination was communicated to her? A. Yes. (Lunch recess taken.) Q. There was a time Ms. Newmark was terminated? A. Yes. Q. Whose decision was that? A. Mine.	12345000 2 12345000 3 12345000 5 12345000 6 12345000 7 12345000 8 12345000 9 12345000 10	Catherine Magone expressed Ms. Newmark had expressed concern about possible ageism on your part, is that right? A. Yes. Q. When did you first document your intent to explore terminating Ms. Newmark's employment? A. I have no documentation of that. Q. When did you, in fact, decide to
1200,000 2 2 1200,000 4 4 1200,000 5 1201,000 6 1201,000 7 1201,000 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Catherine Magone for when her termination was communicated to her? A. Yes. (Lunch recess taken.) Q. There was a time Ms. Newmark was terminated? A. Yes. Q. Whose decision was that? A. Mine. Q. When did you make the decision?	12343094 2 12343194 4 12343294 5 12343294 6 12343294 8 12343294 8 12343294 10 12343294 10	Catherine Magone expressed Ms. Newmark had expressed concern about possible ageism on your part, is that right? A. Yes. Q. When did you first document your intent to explore terminating Ms. Newmark's employment? A. I have no documentation of that. Q. When did you, in fact, decide to terminate her employment?
1200,000 2 1200,000 4 1 1 1 1 1 1 1 1 1	Catherine Magone for when her termination was communicated to her? A. Yes. (Lunch recess taken.) Q. There was a time Ms. Newmark was terminated? A. Yes. Q. Whose decision was that? A. Mine. Q. When did you make the decision? A. The week of — I don't remember	12343000 2 12343000 3 12341200 5 12341200 6 1234100 7 1234100 9 1234300 10 1234100 11 1234100 11	expressed Ms. Newmark had expressed concern about possible ageism on your part, is that right? A. Yes. Q. When did you first document your intent to explore terminating Ms. Newmark's employment? A. I have no documentation of that. Q. When did you, in fact, decide to terminate her employment? A. I don't recall the exact date.
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1200,000 2 2 2 200,000 3 3 1 200,000 5 5 1 201,000 6 1 201,000 6 1 201,000 6 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	for when her termination was communicated to her? A. Yes. (Lunch recess taken.) Q. There was a time Ms. Newmark was terminated? A. Yes. Q. Whose decision was that? A. Mine. Q. When did you make the decision? A. The week of — I don't remember exactly the exact date. Q. After that meeting with Ms. Orsaia	12343094 2 12343094 5 12343094 6 12343094 7 12343094 10 12343094 10 12343094 11 12043094 12 12365094 13 12365094 14	Catherine Magone expressed Ms. Newmark had expressed concern about possible ageism on your part, is that right? A. Yes. Q. When did you first document your intent to explore terminating Ms. Newmark's employment? A. I have no documentation of that. Q. When did you, in fact, decide to terminate her employment? A. I don't recall the exact date. Q. Was this before or after that meeting with Ms. Newmark and Ms. Orsala?
1200,000 2 1200,000 4 1200,000 5 1200,000 7 1200,000 10 1200,000 11 1200,000 1200,000 13 1200,000 14 15 15 15 15 15 15 15	Catherine Magone for when her termination was communicated to her? A. Yes. (Lunch recess taken.) Q. There was a time Ms. Newmark was terminated? A. Yes. Q. Whose decision was that? A. Mine. Q. When did you make the decision? A. The week of — I don't remember exactly the exact date. Q. After that meeting with Ms. Orsaia and Ms. Newmark?	12345004 2 12345004 4 12345004 6 12345004 6 12345004 8 12345004 10 12345004 10 12345004 11 12345004 13 12345004 14	Catherine Magone expressed Ms. Newmark had expressed concern about possible ageism on your part, is that right? A. Yes. Q. When did you first document your intent to explore terminating Ms. Newmark's employment? A. I have no documentation of that. Q. When did you, in fact, decide to terminate her employment? A. I don't recall the exact date. Q. Was this before or after that meeting with Ms. Newmark and Ms. Orsaia? A. The September 28
1200,000 2 1200,000 3 4 1200,000 5 1201,000 7 1201,000 10 1201,000 10 1201,000 10 1201,000 10 1201,000 10 1201,000 10 1201,000 10 10 10 10 10 10 1	Catherine Magone for when her termination was communicated to her? A. Yes. (Lunch recess taken.) Q. There was a time Ms. Newmark was terminated? A. Yes. Q. Whose decision was that? A. Mine. Q. When did you make the decision? A. The week of — I don't remember exactly the exact date. Q. After that meeting with Ms. Orsaia and Ms. Newmark? A. Yes.	12345000 2 12345000 3 42345000 5 12345000 10 12345000 10 12345000 11 11 12345000 11 11 12345000 11 11 11 11 11 11 11 11 11 11 11 11	Catherine Magone expressed Ms. Newmark had expressed concern about possible ageism on your part, is that right? A. Yes. Q. When did you first document your intent to explore terminating Ms. Newmark's employment? A. I have no documentation of that. Q. When did you, in fact, decide to terminate her employment? A. I don't recall the exact date. Q. Was this before or after that meeting with Ms. Newmark and Ms. Orsaia? A. The September 28 Q. Yes.
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22 - 250-21704	for when her termination was communicated to her? A. Yes. (Lunch recess taken.) Q. There was a time Ms. Newmark was terminated? A. Yes. Q. Whose decision was that? A. Mine. Q. When did you make the decision? A. The week of — I don't remember exactly the exact date. Q. After that meeting with Ms. Orsaia and Ms. Newmark? A. Yes. Q. Who had the authority to terminate Ms. Newmark's employment? A. I did. Q. Did you communicate your intent with anyone before you decided? A. Pat Orsaia.	12343000 2 12343000 3 12343000 10 12343000	expressed Ms. Newmark had expressed concern about possible ageism on your part, is that right? A. Yes. Q. When did you first document your intent to explore terminating Ms. Newmark's employment? A. I have no documentation of that. Q. When did you, in fact, decide to terminate her employment? A. I don't recall the exact date. Q. Was this before or after that meeting with Ms. Newmark and Ms. Orsaia? A. The September 28 Q. Yes. A meeting? There was some discussion before that. Q. I understand there was discussion. When did you, in fact, decide that she was going to be terminated? A. It would have been after that
22 - 220-21794	for when her termination was communicated to her? A. Yes. (Lunch recess taken.) Q. There was a time Ms. Newmark was terminated? A. Yes. Q. Whose decision was that? A. Mine. Q. When did you make the decision? A. The week of — I don't remember exactly the exact date. Q. After that meeting with Ms. Orsaia and Ms. Newmark? A. Yes. Q. Who had the authority to terminate Ms. Newmark's employment? A. I did. Q. Did you communicate your intent with anyone before you decided? A. Pat Orsaia. Q. Anyone else?	12343004 2 1234304 5 1234304 6 1234304 6 1234304 10 1234304 10 1234304 11 1244304 12 1234304 15 1234304 16 1234304 17 1234304 17 1234304 18 1234304 19 1234304 20 1242304 20 1242304 21 1234304 22	expressed Ms. Newmark had expressed concern about possible ageism on your part, is that right? A. Yes. Q. When did you first document your intent to explore terminating Ms. Newmark's employment? A. I have no documentation of that. Q. When did you, in fact, decide to terminate her employment? A. I don't recall the exact date. Q. Was this before or after that meeting with Ms. Newmark and Ms. Orsaia? A. The September 28 Q. Yes. A meeting? There was some discussion before that. Q. I understand there was discussion. When did you, in fact, decide that she was going to be terminated? A. It would have been after that meeting.
1200,000 2 2 1200,000 5 5 1201,000 5 6 1201,000 5 6 1201,000 5 10 10 10 10 10 10 10 10 10 10 10 10 10	for when her termination was communicated to her? A. Yes. (Lunch recess taken.) Q. There was a time Ms. Newmark was terminated? A. Yes. Q. Whose decision was that? A. Mine. Q. When did you make the decision? A. The week of — I don't remember exactly the exact date. Q. After that meeting with Ms. Orsaia and Ms. Newmark? A. Yes. Q. Who had the authority to terminate Ms. Newmark's employment? A. I did. Q. Did you communicate your intent with anyone before you decided? A. Pat Orsaia. Q. Anyone else? A. No.	12343004 2 2 12343004 5 12343004 10 123430	expressed Ms. Newmark had expressed concern about possible ageism on your part, is that right? A. Yes. Q. When did you first document your intent to explore terminating Ms. Newmark's employment? A. I have no documentation of that. Q. When did you, in fact, decide to terminate her employment? A. I don't recall the exact date. Q. Was this before or after that meeting with Ms. Newmark and Ms. Orsaia? A. The September 28 Q. Yes. A meeting? There was some discussion before that. Q. I understand there was discussion. When did you, in fact, decide that she was going to be terminated? A. It would have been after that meeting. Q. What happened from the point of
22 - 220-21794	for when her termination was communicated to her? A. Yes. (Lunch recess taken.) Q. There was a time Ms. Newmark was terminated? A. Yes. Q. Whose decision was that? A. Mine. Q. When did you make the decision? A. The week of — I don't remember exactly the exact date. Q. After that meeting with Ms. Orsaia and Ms. Newmark? A. Yes. Q. Who had the authority to terminate Ms. Newmark's employment? A. I did. Q. Did you communicate your intent with anyone before you decided? A. Pat Orsaia. Q. Anyone else?	12343004 2 1234304 5 1234304 6 1234304 6 1234304 10 1234304 10 1234304 11 1244304 12 1234304 15 1234304 16 1234304 17 1234304 17 1234304 18 1234304 19 1234304 20 1242304 20 1242304 21 1234304 22	expressed Ms. Newmark had expressed concern about possible ageism on your part, is that right? A. Yes. Q. When did you first document your intent to explore terminating Ms. Newmark's employment? A. I have no documentation of that. Q. When did you, in fact, decide to terminate her employment? A. I don't recall the exact date. Q. Was this before or after that meeting with Ms. Newmark and Ms. Orsaia? A. The September 28 Q. Yes. A meeting? There was some discussion before that. Q. I understand there was discussion. When did you, in fact, decide that she was going to be terminated? A. It would have been after that meeting.

	Case 7:07-cv-02861-CS Document	21-5	Filed-09/02/2008 Page 14 of 53
1			135
		1 1	Catherine Magone
•	to a decide to the	tspione 2	Tom September 20 Willelf Was a
×=== 3	the state of the s	12301300 3	Thursday if I'm not mistaken, take a look at
5	,	12.24-ПРМ 4	Plaintiff's Exhibit 5 for identification,
_	and a supplied of the	1224,200м 5	because it says from, and the date is Friday,
·3450% 6	several months — let me finish. Let me finish.	12-34-28/64 6	September 29. The meeting was on the 28th, so
ijasany (Q. You can. Go ahead.	поколи 7	- Managery, 13 chart a fall
O Mark	A. A number of things that had	замайни 8	assumption?
2400AU Y	concerned me for months prior to this event that	123133544 9	A. Yes.
UF woman:	I have documented. But I think that the thing	12.33.335 10	Q. From Thursday, September 28,
samin 11	that really drove it was Carole's inability to	яжжен 11	through Wednesday Thursday, October 5, what,
ажин 12	accept a management decision and letting go of	аменя 12	if any, incidents do you recall relating to
104tuing 13	her anger. It affected how she was performing	1250:55PM 13	Ms. Newmark that made you decide to, in fact,
ынаны 14	her duties.	14 markin	terminate her employment?
:siz;⊪ı 15	Q. What happened between September 28	1235500 15	A. I don't recall.
2:362800k 16	meeting and when you, in fact, decided to	72-M95/PW 16	Q. We are going to go into the
2, 20,20,4 17	terminate her that made you decide?	нэээн 17	instances of her performance shortly. When did
2310ên 18	A. Because I decided that during her	кжени 18	you first have any issues concerning
вэээм 19	probationary period she didn't pass her	1200 may 19	Ms. Newmark's performance?
220mg 20	probationary period.	тэнні 2 0	A. July.
234,000 21	Q. Nothing happened from the period of	12300M 21	Q. July. And did you document that?
224.00ml 22	the September 28 meeting, in which you advised	::::::::::::::::::::::::::::::::::::::	A. Yes.
23isou 23	her that her probation was being extended, to	12,34,35% 23	Q. Did you ever notify her?
22 дания 24	October 5 when her termination was communicated	1230ma 24	A. Yes.
25 *****	to her, is that right?	пээн 25	Q. Did you put your notice in writing
	COMPU-TRAN SHORTHAND REPORTING		, , , , , , , , , , , , , , , , , , ,
			COMPU-TRAN SHORTHAND REPORTING
_	134	 	COMPU-TRAN SHORTHAND REPORTING 136
1		1	136
1 13750=4 2	134	1 12392042 2	
1 1373094 2 1373094 3	134 Catherine Magone	1	136 Catherine Magone
•	134 Catherine Magone A. Not to my knowledge.	12393042 2	136 Catherine Magone to her? A. No.
12700Ры 3	Catherine Magone A. Not to my knowledge. Q. So on September 28, you indicated	12:30/38/94 2 12:36/38/94 3	to her? A. No. Q. Did you ever express your concerns
222000 4	Catherine Magone A. Not to my knowledge. Q. So on September 28, you indicated her probation was being extended?	123092642 2 123052696 3 123052696 4	136 Catherine Magone to her? A. No.
10700PM 3 22700PM 4 720710PM 5	Catherine Magone A. Not to my knowledge. Q. So on September 28, you indicated her probation was being extended? A. Yes.	1230/2004 2 1230/2004 3 1230/2004 4 1230/2004 5	to her? A. No. Q. Did you ever express your concerns about her performance in writing to her? A. No.
10700M 3 20200M 4 120710M 5	Catherine Magone A. Not to my knowledge. Q. So on September 28, you indicated her probation was being extended? A. Yes. Q. And on October 5 you communicated	12393442 2 12363494 3 12363694 4 12363694 5 12363694 6	to her? A. No. Q. Did you ever express your concerns about her performance in writing to her? A. No. Q. What issues did you have about her
12700PM 3 22700PM 4 122710PM 5 123710PM 6 123710PM 7	Catherine Magone A. Not to my knowledge. Q. So on September 28, you indicated her probation was being extended? A. Yes. Q. And on October 5 you communicated her termination?	1230/2004 2 1230/2004 3 1230/2004 4 1230/2004 5 1230/2004 7	Catherine Magone to her? A. No. Q. Did you ever express your concerns about her performance in writing to her? A. No. Q. What issues did you have about her performance in July?
1.5700PM 3 23200PM 4 12.5710PM 5 12.5710PM 6 12.5710PM 7 232117PM 8	Catherine Magone A. Not to my knowledge. Q. So on September 28, you indicated her probation was being extended? A. Yes. Q. And on October 5 you communicated her termination? A. Yes.	123924F62 2 123924F96 3 123924F96 4 123924F96 5 123924F96 6 123924F96 8	Catherine Magone to her? A. No. Q. Did you ever express your concerns about her performance in writing to her? A. No. Q. What issues did you have about her performance in July? A. It was very clear to me — well,
127700PM 3 222700PM 4 1227700PM 5 123770PM 6 123770PM 8 220777PM 8 220777PM 9	Catherine Magone A. Not to my knowledge. Q. So on September 28, you indicated her probation was being extended? A. Yes. Q. And on October 5 you communicated her termination? A. Yes. Q. No new incidents occurred from	12.30/20/AZ 2 12.30/20/AZ 4 12.30/20/AZ 5 12.30/20/AZ 6 12.30/20/AZ 7 12.30/20/AZ 7 12.30/20/AZ 9	Catherine Magone to her? A. No. Q. Did you ever express your concerns about her performance in writing to her? A. No. Q. What issues did you have about her performance in July? A. It was very clear to me — well, first of all, it was — it was really in July
1.5700PM 3 22700PM 4 725710PM 5 725710PM 6 725710PM 8 23717PM 8 23717PM 9 123720PM 10	Catherine Magone A. Not to my knowledge. Q. So on September 28, you indicated her probation was being extended? A. Yes. Q. And on October 5 you communicated her termination? A. Yes. Q. No new incidents occurred from September 28 through October 5, is that right?	1230/2004 2 1230/2004 4 1230/2004 5 1230/2004 6 1230/2004 7 1230/2004 8 1230/2004 10	Catherine Magone to her? A. No. Q. Did you ever express your concerns about her performance in writing to her? A. No. Q. What issues did you have about her performance in July? A. It was very clear to me — well, first of all, it was — it was really in July that I began to directly supervise Carole.
1.0700PM 3 2.2200PM 4 7.23710PM 5 7.23710PM 6 7.23710PM 8 2.23710PM 9 1.23720PM 10 2.23720PM 11	Catherine Magone A. Not to my knowledge. Q. So on September 28, you indicated her probation was being extended? A. Yes. Q. And on October 5 you communicated her termination? A. Yes. Q. No new incidents occurred from September 28 through October 5, is that right? A. I don't recall. There might have	12.30/20/22 2 12.20/20/20 3 12.20/20/20 4 12.20/20/20 5 12.20/20/20 6 12.20/20/20 8 12.20/20/20 8 12.20/20/20 10 12.20/20/20 11	to her? A. No. Q. Did you ever express your concerns about her performance in writing to her? A. No. Q. What issues did you have about her performance in July? A. It was very clear to me — well, first of all, it was — it was really in July that I began to directly supervise Carole. Prior to that Diane Lantz was supervising her.
1.07700PM 3 2.22700PM 4 12.07700PM 5 12.27700PM 6 12.27700PM 7 2.02770PM 9 12.27720PM 10 2.27720PM 11	Catherine Magone A. Not to my knowledge. Q. So on September 28, you indicated her probation was being extended? A. Yes. Q. And on October 5 you communicated her termination? A. Yes. Q. No new incidents occurred from September 28 through October 5, is that right? A. I don't recall. There might have been.	1230926742 2 123052674 4 123052674 5 123052674 6 123052674 7 123052674 9 123052674 10 123052674 11 123052674 11	Catherine Magone to her? A. No. Q. Did you ever express your concerns about her performance in writing to her? A. No. Q. What issues did you have about her performance in July? A. It was very clear to me — well, first of all, it was — it was really in July that I began to directly supervise Carole. Prior to that Diane Lantz was supervising her. So upon Diane's resignation, I started to take
3 23250004 4 123730004 5 12373000 6 12373000 9 123730004 10 23730004 11 123730004 13	Catherine Magone A. Not to my knowledge. Q. So on September 28, you indicated her probation was being extended? A. Yes. Q. And on October 5 you communicated her termination? A. Yes. Q. No new incidents occurred from September 28 through October 5, is that right? A. I don't recall. There might have been. Q. As you sit here today, can you	12.30/26/22 2 12.30/26/24 3 12.20/26/24 5 12.20/26/24 6 12.20/26/24 7 12.20/26/24 8 12.20/26/24 10 12.20/26/24 11 12.20/26/24 12 12.20/26/24 12	Catherine Magone to her? A. No. Q. Did you ever express your concerns about her performance in writing to her? A. No. Q. What issues did you have about her performance in July? A. It was very clear to me — well, first of all, it was — it was really in July that I began to directly supervise Carole. Prior to that Diane Lantz was supervising her. So upon Diane's resignation, I started to take more notice of what Carole was doing. I found
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because I wanted her to be successful. 7 Q. Didn't she, in fact, ask to meet with you prior to this what you call work session with her prior? 9 Q. Yes. 10 A. No. 10 She didn't ask to meet with you? A. No. I asked to meet with her. Q. So but correct me if I'm wrong. 10 A. No, I asked to meet with her. Q. So but correct me if I'm wrong. 11 A. Yes. 12 A. No, I just expressed my concerns. 12 A. No, I just expressed my concerns. 13 P. Yes. 14 A. Yes. 15 P. No, I just expressed my concerns. 16 A. Yes. 17 Q. Notes to your file, right? 18 A. Yes. 19 Q. Is there any way of knowing when 19 A. That's right. 10 A. Yes. 11 Q. Notes to your file, right? 12 A. I put the discussion 13 Q. The fact that it wasn't you said 15 P. The fact that it wasn't you said 16 Q. The fact that it wasn't you said 17 Q. The fact that it wasn't you said 18 A. Yes. 19 Q. Is there any way of knowing when 19 Q. Is there any way of knowing when 19 Q. Is there any way of knowing when 19 Q. Is there any way of knowing when 19 Q. Is there any stamped copies saying it 10 A. No. 10 A. Yes. 10 A	немы 4	verbal warning, then what was it?	ожен 4	be?
7 Q. Didn't she, in fact, ask to meet 8 with you prior to this what you call work 9 session with her prior? 10 A. No. 11 Q. She didn't ask to meet with you? 11 Q. She didn't ask to meet with her. 12 A. No. I asked to meet with her. 13 Q. So — but correct me if I'm wrong. 14 There was no verbal warning. You never warned 15 her, is that right? 16 A. No, I just expressed my concerns. 17 Q. You never warned her, is that 18 right? 19 A. That's right. 20 Q. And you put that in writing, isn't 21 A. I put the discussion — 22 Q. The fact that it wasn't — you sald 23 Q. The fact that it wasn't — you sald 24 you put what discussion that you had in writing? 19 Income 17 placed in Ms. Newmark's personnel file? A. In human resources? 9 Q. Yes. 10 A. No. 11 Q. Is there any way of knowing when — 12 did you ever have these letters — you are 13 saying letters to your file — 14 A. Yes. 15 Q. — do you mean notes to your file? 16 A. Yes. 17 Q. Notes to your file, right? 18 A. Yes. 19 Q. Is there any way of knowing when 20 you, in fact, submitted those notes to your 19 file? Are there any stamped copies saying it 21 was received by your department or an HR 22 indicating they were received on or about the 23 dates that are indicated?	чения 5	 A. It was a little counseling session, 	ъеле 5	A. Letters to my file.
with you prior to this what you call work session with her prior? A. No. Common 10 A. No. Common 11 Q. She didn't ask to meet with you? A. No. I asked to meet with her. Common 12 A. No. I asked to meet with her. Common 13 Q. So — but correct me if I'm wrong. Common 14 There was no verbal warning. You never warned Common 15 her, is that right? Common 16 A. No, I just expressed my concerns. Common 17 Q. You never warned her, is that Common 18 right? Common 19 A. That's right. Common 19 Q. Is there any way of knowing when you, in fact, submitted those notes to your file? Are there any stamped copies saying it was received by your department or an HR indicating they were received on or about the dates that are indicated?	13назин 6	because I wanted her to be successful.	цемен б	Q. "Your file," meaning were those
9 session with her prior? A. No. 12 A. No. I asked to meet with you? 12 A. No. I asked to meet with her. 13 Q. So but correct me if I'm wrong. 14 There was no verbal warning. You never warned 15 her, is that right? 16 A. No, I just expressed my concerns. 17 Q. You never warned her, is that 18 right? 19 A. That's right. 10 A. Yes. 11 Q. Notes to your file, right? 12 A. No, I just expressed my concerns. 13 Q. Yes. 14 A. Yes. 15 Q do you mean notes to your file? 16 A. Yes. 17 Q. Notes to your file, right? 18 A. Yes. 19 A. That's right. 19 Q. Is there any way of knowing when you, in fact, submitted those notes to your that right? 19 A. I put the discussion 10 Q. The fact that it wasn't you said 10 you put what discussion that you had in writing? 10 A. No. 11 Q. Is there any way of knowing when you, in fact, submitted those notes to your file? 10 Q. Is there any stamped copies saying it was received by your department or an HR indicating they were received on or about the dates that are indicated?	12:02:FN 7	Q. Didn't she, in fact, ask to meet	12жжей 7	placed in Ms. Newmark's personnel file?
10 A. No. 12 A. No. I asked to meet with you? 13 Q. So — but correct me if I'm wrong. 14 There was no verbal warning. You never warned 15 her, is that right? 16 A. No, I just expressed my concerns. 17 Q. You never warned her, is that 18 right? 19 A. That's right. 10 A. No. 10 did you ever have these letters — you are 12 saying letters to your file — 13 A. Yes. 14 A. Yes. 15 Q. — do you mean notes to your file? 16 A. Yes. 17 Q. Notes to your file, right? 18 A. Yes. 19 A. That's right. 10 Q. Is there any way of knowing when 10 Yes. 11 Q. Notes to your file, right? 12 Q. Is there any way of knowing when 13 Yes. 14 A. Yes. 15 Q. Notes to your file, right? 16 A. Yes. 17 Q. Notes to your file, right? 18 A. Yes. 19 Q. Is there any way of knowing when 19 Q. Is there any way of knowing when 19 You, in fact, submitted those notes to your 19 You, in fact, submitted those notes to your 19 You, in fact, submitted those notes to your 19 You, in fact, submitted those notes to your 19 You, in fact, submitted those notes to your 19 You, in fact, submitted those notes to your 19 You, in fact, submitted those notes to your 19 You, in fact, submitted those notes to your 19 You, in fact, submitted those notes to your 19 You, in fact, submitted those notes to your 19 You, in fact, submitted those notes to your 19 You, in fact, submitted those notes to your 19 You, in fact, submitted those notes to your 19 You, in fact, submitted those notes to your 19 You, in fact, submitted those notes to your 19 You, in fact, submitted those notes to your 19 You, in fact, submitted those notes to your 19 You put what discussion — 10 You have were received on or about the 10 You have here. 10 Yes. 11 Yes. 12 Yes. 13 Yes. 14 Yes. 15 Yes. 16 A. Yes. 17 Yes. 18 A. Yes. 18 Yes. 19 Yes. 10 Yes. 20 You put what discussion — 21 You have were nave these letters — You are 22 You you mean notes to your file? 23 Yes. 24 Yes. 25 Yes Yes. 26 Yes	12.02E- 8	with you prior to this what you call work	12-46-102MA B	A. In human resources?
11 Q. She didn't ask to meet with you? A. No. I asked to meet with her. Q. So — but correct me if I'm wrong. There was no verbal warning. You never warned the strict of the received forms and the received forms are saying letters to your file — There was no verbal warning. You never warned the strict of the received forms are saying letters to your file — There was no verbal warning. You never warned the strict of the received forms are saying letters to your file — The received forms are saying letters to your file — The received forms are saying letters to your file — The received forms are saying letters to your file — The received forms are saying letters to your file — The received forms are saying letters to your file — The received forms are saying letters to your file — The received forms are saying letters to your file — The received forms are saying letters to your file — The received forms are saying when — The received forms are saying when — The received forms are saying in the saying are saying it was received by your department or an HR The received forms are saying it was received by your department or an HR The received forms are saying it was received by your department or an HR The received forms are saying it was received by your department or an HR The received forms are saying it was received by your department or an HR The received forms are saying it was received by your department or an HR The received forms are saying it was received by your department or an HR The received forms are saying it was received by your department or an HR The received forms are saying it was received by your department or an HR The received forms are saying it was received by your department or an HR The received forms are saying letters to your file and your file are saying letters to your file and your file are saying letters to your file and your file are saying letters to your file and your file are saying letters to your file and your file are saying letters to your file an	э озич 9	session with her prior?	மண் 9	Q. Yes.
A. No. I asked to meet with her. Q. So but correct me if I'm wrong. There was no verbal warning. You never warned the street of the property of the prop	₍₂₀₀₂₎ 10	A. No.	12-many 10	A. No.
There was no verbal warning. You never warned There was no verbal warni	maxim 11	Q. She didn't ask to meet with you?	:: 11	Q. Is there any way of knowing when
There was no verbal warning. You never warned the first that right? 15 her, is that right? 16 A. No, I just expressed my concerns. 17 Q. You never warned her, is that right? 18 right? 19 A. That's right. 19 Q. And you put that in writing, isn't that right? 20 Q. And you put that in writing, isn't that right? 21 that right? 22 A. I put the discussion 23 Q. The fact that it wasn't you said you put what discussion that you had in writing? 19 Q. The fact that it wasn't you said you put what discussion that you had in writing? 21 that right? 22 dates that are indicated?	12:22:EM 12	A. No. I asked to meet with her.	12:45:00/94 12	did you ever have these letters you are
15 her, is that right? 16 A. No, I just expressed my concerns. 17 Q. You never warned her, is that 18 right? 19 A. That's right. 20 Q. And you put that in writing, isn't 21 A. I put the discussion Q. The fact that it wasn't you said 19 You put what discussion that you had in writing? 20 Q. The fact that you had in writing? 21 dates that are indicated?	_{тысаты} 13	Q. So but correct me if I'm wrong.	12-minimum 13	saying letters to your file
A. No, I just expressed my concerns. Q. You never warned her, is that THE TIME 18 right? D. A. That's right. D. A. That's right? D. A. That's right. D. A. That's right. D. A. Yes. D. A	œ ⇒ 14	There was no verbal warning. You never warned	(245774 14	A. Yes.
17 Q. You never warned her, is that 18 right? 19 A. That's right. 19 Q. And you put that in writing, isn't 19 Q. Is there any way of knowing when 19 Q. Is there any way of kn	12,e.m. 15	her, is that right?	1200 MIN 15	Q do you mean notes to your file?
18 right? 20 Q. And you put that in writing, isn't 21 that right? 22 A. I put the discussion 23 Q. The fact that it wasn't you said 24 you put what discussion that you had in writing? 25 A. Yes. 26 Q. Is there any way of knowing when 27 you, in fact, submitted those notes to your 28 discount 20 you, in fact, submitted those notes to your 29 you, in fact, submitted those notes to your 20 you, in fact, submitted those notes to your 21 file? Are there any stamped copies saying it 22 was received by your department or an HR 23 Q. The fact that it wasn't you said 24 you put what discussion that you had in writing?	12-92-6FM 16	A. No, I just expressed my concerns.	12H200H4 16	A. Yes.
19 A. That's right. 20 Q. And you put that in writing, isn't 21 that right? 22 A. I put the discussion 23 Q. The fact that it wasn't you said 24 you put what discussion that you had in writing? 25 Q. The fact wasn't you said 26 You put what discussion that you had in writing? 27 A. The fact that it wasn't you said 28 You put what discussion that you had in writing?	17 market	Q. You never warned her, is that	12mpton 17	Q. Notes to your file, right?
20 Q. And you put that in writing, isn't 21 that right? 22 A. I put the discussion 23 Q. The fact that it wasn't you said 24 you put what discussion that you had in writing? 29 you, in fact, submitted those notes to your 20 gou, in fact, submitted those notes to your 21 file? Are there any stamped copies saying it 22 was received by your department or an HR 23 indicating they were received on or about the 24 you put what discussion that you had in writing?	weeker 18	right?	12.00 18	A. Yes.
21 that right? 22 A. I put the discussion 23 Q. The fact that it wasn't you said 24 you put what discussion that you had in writing? 25 that right? 26 Are there any stamped copies saying it was received by your department or an HR 27 that right? 28 was received by your department or an HR 29 that right? 29 was received by your department or an HR 20 that right? 20 that right? 21 file? Are there any stamped copies saying it was received by your department or an HR 20 that right? 22 that right? 23 dates that are indicated?	19 Marient	A. That's right.	перец 19	Q. Is there any way of knowing when
22 A. I put the discussion 23 Q. The fact that it wasn't you said 24 you put what discussion that you had in writing? 25 was received by your department or an HR 26 that it wasn't you said 27 indicating they were received on or about the dates that are indicated?	12:025/Pag 20	Q. And you put that in writing, isn't	12.00 May 20	you, in fact, submitted those notes to your
23 Q. The fact that it wasn't you said indicating they were received on or about the 24 you put what discussion that you had in writing? 24 dates that are indicated?	12A93494 21	that right?	12-00 Z1	file? Are there any stamped copies saying it
23 Q. The fact that it wasn't you said 23 indicating they were received on or about the 24 you put what discussion that you had in writing? 24 dates that are indicated?	22	A. I put the discussion	1580 PM 22	, , , , -
24 you put what discussion that you had in writing? 24 dates that are indicated?	125 23	Q. The fact that it wasn't you said	12-00-13PM 2.3	
25 A. That I had met with her and what we 25 A. No.	24	•	l	
ı	12.00mm 25	A. That I had met with her and what we	12-86 HPM 2.5	A. No.
COMPU-TRAN SHORTHAND REPORTING COMPU-TRAN SHORTHAND REPORTING		COMPU-TRAN SHORTHAND REPORTING		

-	-Gase 7:07 sv-02861-CS Document	21-5	Filed 09/02/2008 Page 16 of 53
1	Cathorino Manone	١.	143
•	Catherine Magone Q. I'm going to show you what is	1	The state of the s
	Q. I'm going to show you what is actually Plaintiff's Exhibit 10 for	15-H-22594 2	The state of the s
د بخصصه: 4 بسسور	identification. Do you see that?	12,424, 3	express concern to you?
<i></i> 5	A. Yes.	12-02594 4	A. Six, seven.
-	Q. That one you confirmed there was no	1242394 0	Q. When was the first time?
:#25% D	•	TRANSPORT OF	A. Early on.
second f	verbal warning to Ms. Newmark, is that right? A. That's correct.	12:00:00%	Q. Where was it?
zwianu () O		ismani g	A. Where?
246-0PM 37	Q. Was there anything inaccurate about what your response was to her?	124630FM 9	Q. Where did she express her concerns
245APM 10	A. No.	12430m. 10	to you?
.:	Q. Did you ever meet with Ms. Newmark	11	A. In my office.
44	concerning her performance?	12 do	Q. What did she say?
энши 13 _{энши} 14	A. Yes.	13 talent 13	A. She said that she felt that Carole
21730FM 15	Q. When?	14.	was having a hard time adjusting to the case
2022W 16	A. In July.	15 4e	management model.
интаны 17	Q. When you say July, when in July?	inesen 16	Q. Did she document that to you?
12:47:40PM 18	A. July 20.	12 12 12 12 12 12 12 12 12 12 12 12 12 1	A. No, she did not.
19 19	Q. And that, the E-mail that you have	124444 19	Q. Did you document her communication
120 mm 20	before you, Exhibit 10, that relates to that	15 mm 20	to you?
13675EPN 21	same meeting, isn't that right?	12 april 20	A. No. I thought that she was documenting it.
22	A. Yes.	1230000 21	_
12-17-1-12-Z	Q. Wherein you say there was no verbal	1230000 22 1130000 23	
1241SIM 24	warning, is that right?	24	thought. I'm saying, did you document? A. No, I did not.
25 name 25	A. That's correct.	15 25	Q. Do you know if she did?
	COMPU-TRAN SHORTHAND REPORTING	ZIERE EÓ	COMPU-TRAN SHORTHAND REPORTING
- —	142	1	144
1	Catherine Magone	1	Catherine Magone
1247 dame 2	Q. When was the next time you meet	1240444 2	A. No.
***** 3	with Ms. Newmark about her performance?	12:00:10044 3	Q. Did you meet with Ms. Newmark about
4	A. In length of stay meetings, we meet	******* 4	this?
15-cm 5	weekly. If there are issues I raise them right	12.00m 5	A. No.
15:46:00PM 6	there. If she can't on several occasions I	1880am 6	Q. Did you ask her what she meant by
темены 7	meet with her not necessarily documenting	1200200м 7	difficulty in adjusting to the case management
12-M22M4 B	anything.	11.50.00m B	program?
::-:::: 9	Q. Did you ever submit anything in	Attackerin a	MR. KEIL: Objection as to
12 marine 10	writing to her wherein you expressed your	1299294. 10	form. By "her" you mean Ms. Lantz?
₁₉₄₂ 11	concerns in writing and had her sign	1200ain 11	MS. NICAJ: Yes,
_{знаж} 12	A. No.	12	A. Diane was concerned that she
13	Q hold on that she acknowledged	13 maine	couldn't carry a decent caseload.
1342003 14	receiving your concerns?	1280mu 14	Q. And she said that to you?
15 15	A. No.	1200anu 15	A. Yes,
1541Pu 16	Q. Prior to July were there ever any	16 maren 16	Q. Did you document that?
17 17	issues to your knowledge relating to	12:300mt 17	A. No.
18 and 18	Ms. Newmark's performance?	18°	Q. Now, did anyone train Ms. Newmark
12:eans 19	A. Yes.	12:00:01PM 19	on this case management caseload and the new
20 24	Q. What?	12.00m. 20	program that was formulated after she came back
22 22 22 22 22 22 22 22 22 22 22 22 22	A. Diane Lantz voiced concerns over	21	to Lawrence?
72	her performance to me. Diane would keep me	12505000 22	A. Diane worked with her,
ոտ 23	abreast of what was going on with the case	12512004 23	Q. Diane?
54	more and the scale leaders at the second		
124 May 24	managers and the social workers. And she did	1211 24	A. Lantz.
124:1894 24 124:1994 25	managers and the social workers. And she did have concerns but she never put them in writing. COMPU-TRAN SHORTHAND REPORTING	1231.00m 24 1231.00m 25	A. Lantz. Q. What was Diane's position again? COMPU-TRAN SHORTHAND REPORTING

	Case 7:07-cv-02861-GS Documen	: 21-5	Filed 09/02/2008 Page 17 of 53
1	Cottorine Magana	1.	147
•	· · · · · · · · · · · · · · · · · · ·	1	ound mayone
	•	12:11:20py 2	- The day is contact spend her day?
arenne 3	Carole reported directly to her. Q. Do you know what training she in	изээн З	A. Out on the floors.
5		120000м 4	To was his newmark also expected to
		125.00v 5	-
7	anything working side-by-side.	12.00 militare 6	* ** * *****
******	Q. Did Ms. Galloway offer to stay on	DESCRIPTION (Q. And the floors being what floor
::in::::::::::::::::::::::::::::::::::	for two weeks to help train Ms. Newmark but you	- 8 	numbers was she expected to spend her days?
:512074 10	advised her that she wasn't needed to do that?	1/20×10×1	A. I don't recall what units she was
:::::::::::::::::::::::::::::::::::::::	A. I don't believe it was two weeks.	12555094 11	covering at the time.
29134094 12	I don't believe it was two weeks. Yes. I	12503194 1 1 12503094 12	Q. Wasn't she covering all the units as a social worker?
231AIPM 13	advised her it wasn't necessary.	12515394 13	
smaley 14	Q. And Ms. Galloway's position at the	12-040-4 14	A. No, she was not.
251-40v 15	time was what?	12:00:00 14 12:00:00 15	Q. Which units was she not covering? A. I don't recall how I made the
251-40W 16	A. Ms. Galloway had already resigned,	مه ا	The second field a life of the
251100m 17	retired and was down in North Carolina.	1250094 17	assignments. Q. Who made the assignments, you did?
2015PM 18	Q. She had offered to come and help	12342094 18	, you also
:::::::: 19	Ms. Newmark?	nseem 19	A. No, Diane Lantz would have made the assignments.
2515774 20	A. She did, but instead we chose to	15 15 15 15 15 15 15 15 15 15 15 15 15 1	Q. Her responsibilities included a
zasiw 21	have her have telephone conference with her for	125410FM 21	number of units on a number of floors this is
1.50mm 22	questions and concerns. I did not have money in	1254.534 22	Ms. Newmark isn't that right?
237.00pm 23	my budget to have her back and forth from North	1236144 23	A. It could.
:x:== 24	Carolina.	12.54.18Mz 24	Q. It could? Did you, in fact,
25 and 25	Q. Do you know whether she would	viscom 25	ascertain whether she was in those units doing
	COMPU-TRAN SHORTHAND REPORTING		
	COMPOSITORY SHORT HARD REPORTING		COMPU-TRAN SHORTHAND REPORTING
	146		COMPU-TRAN SHORTHAND REPORTING
1		1	148
1 2	146	1 12442554 2	
1 2400-454 2 2400-464 3	146 Catherine Magone	1	148 Catherine Magone her job?
1 12801498 2 12801499 3 12801498 4	146 Catherine Magone require the travel back and forth or was it just	12412NPH 2	Catherine Magone her job?
	146 Catherine Magone require the travel back and forth or was it just salary?	12412094 2 12512294 3	148 Catherine Magone her job? A. Diane felt that she was in her office too much.
- 4	Catherine Magone require the travel back and forth or was it just salary? A. (No response.)	1244200 2 1244204 3 1444204 4	Catherine Magone her job? A. Diane felt that she was in her office too much.
255200 4 255200 5	Catherine Magone require the travel back and forth or was it just salary? A. (No response.) Q. You indicated you didn't have money	124-227-1 2 123-227-1 3 12-127-1 4 125-227-1 5	Catherine Magone her job? A. Diane felt that she was in her office too much. Q. She felt it or she expressed that
2520m 5	Catherine Magone require the travel back and forth or was it just salary? A. (No response.) Q. You indicated you didn't have money in your budget for travel back and forth. Did	12442094 2 12542094 3 12542094 4 12542094 5 12542094 6	Catherine Magone her job? A. Diane felt that she was in her office too much. Q. She felt it or she expressed that to you?
15500m 4 15520m 5 15520m 6 15520m 7	Catherine Magone require the travel back and forth or was it just salary? A. (No response.) Q. You indicated you didn't have money in your budget for travel back and forth. Did she ask you did she ask for travel? A. No, but I would expect to pay for her travel.	12412094 2 12512094 4 12512094 5 12512094 6 12512094 7	Catherine Magone her job? A. Diane felt that she was in her office too much. Q. She felt it or she expressed that to you? A. She expressed that to me.
12522794 5 12522794 6 12522794 7 12522794 8 12522794 9 12522794 10	Catherine Magone require the travel back and forth or was it just salary? A. (No response.) Q. You indicated you didn't have money in your budget for travel back and forth. Did she ask you did she ask for travel? A. No, but I would expect to pay for her travel. Q. Did she ask you to?	125422794 2 125422794 4 125422794 5 125422794 6 125422794 7 125422794 8	Catherine Magone her job? A. Diane felt that she was in her office too much. Q. She felt it or she expressed that to you? A. She expressed that to me. Q. Did she document that in writing?
12512000 4 12512000 6 12512000 7 12512000 8 12512000 10 12512000 10	Catherine Magone require the travel back and forth or was it just salary? A. (No response.) Q. You indicated you didn't have money in your budget for travel back and forth. Did she ask you did she ask for travel? A. No, but I would expect to pay for her travel. Q. Did she ask you to? A. We never got that far.	125422794 2 125422794 4 12542794 5 12542794 6 12542794 7 12542794 8 12542794 9	Catherine Magone her job? A. Diane felt that she was in her office too much. Q. She felt it or she expressed that to you? A. She expressed that to me. Q. Did she document that in writing? A. No, she did not.
12-12-12-14 4 12-12-12-14 6 12-12-12-14 8 12-12-12-14 10 12-12-12-14 10 12-12-12-14 12 12-12-14 12 12-12-14 12	Catherine Magone require the travel back and forth or was it just salary? A. (No response.) Q. You indicated you didn't have money in your budget for travel back and forth. Did she ask you did she ask for travel? A. No, but I would expect to pay for her travel. Q. Did she ask you to? A. We never got that far. Q. So Ms. Galloway offered to train	12442074 2 12542074 4 12542074 5 12542074 6 12542074 7 12542074 8 12542074 9 12542074 10	A. Diane felt that she was in her office too much. Q. She felt it or she expressed that to you? A. She expressed that to me. Q. Did she document that in writing? A. No, she did not. Q. Did you document that in writing? A. No, I did not. Q. Where was Diane if she was in her
12-12-12-14 4 12-12-12-14 5 12-12-14-14 19 12-12-14-14 19 12-12-14-14 19 12-12-14-14 19 12-12-14-14 19 12-12-14-14 19 19 19 19 19 19 19 19 19 19 19 19 19	require the travel back and forth or was it just salary? A. (No response.) Q. You indicated you didn't have money in your budget for travel back and forth. Did she ask you did she ask for travel? A. No, but I would expect to pay for her travel. Q. Did she ask you to? A. We never got that far. Q. So Ms. Galloway offered to train but you said no?	12442074 2 12542074 4 12542074 5 12542074 6 12542074 7 12542074 8 12542074 10 12542074 10 12542074 11 12542074 12 12542074 13	Catherine Magone her job? A. Diane felt that she was in her office too much. Q. She felt it or she expressed that to you? A. She expressed that to me. Q. Did she document that in writing? A. No, she did not. Q. Did you document that in writing? A. No, I did not.
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12 12 12 12 12 12 12 12 12 12 12 12 12 1	require the travel back and forth or was it just salary? A. (No response.) Q. You indicated you didn't have money in your budget for travel back and forth. Did she ask you did she ask for travel? A. No, but I would expect to pay for her travel. Q. Did she ask you to? A. We never got that far. Q. So Ms. Galloway offered to train but you said no? A. Right, because she was already gone. Q. When was the next time that Ms. Lantz communicated any concerns to you? A. She communicated them on an ongoing basis. But, you know, I don't have any	124-12794 2 125-12794 4 125-12794 6 125-12794 7 125-12794 10 125-12794 11 125-12794 12 125-12794 15 125-12794 15 125-12794 15 125-12794 15 125-12794 15 125-12794 15 125-12794 15 125-12794 15 125-12794 15 125-12794 15	Catherine Magone her job? A. Diane felt that she was in her office too much. Q. She felt it or she expressed that to you? A. She expressed that to me. Q. Did she document that in writing? A. No, she did not. Q. Did you document that in writing? A. No, I did not. Q. Where was Diane if she was in her units that she knew that Ms. Newmark was in her office too much? A. She would be looking for her and that's where she would find her. Q. So she did find her? A. In her office. Q. You said she was looking for her
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1200 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	require the travel back and forth or was it just salary? A. (No response.) Q. You indicated you didn't have money in your budget for travel back and forth. Did she ask you did she ask for travel? A. No, but I would expect to pay for her travel. Q. Did she ask you to? A. We never got that far. Q. So Ms. Galloway offered to train but you said no? A. Right, because she was already gone. Q. When was the next time that Ms. Lantz communicated any concerns to you? A. She communicated them on an ongoing basis. But, you know, I don't have any documentation of dates and times. She was just concerned. Q. What did she say the second time she communicated with you? A. She said she didn't really know	120422794 2 123422794 5 123422794 6 123422794 9 123422794 10 123422794 11 123422794 15 123422794 15 123422794 16 123422794 17 123422794 18 123442794 20 123442794 20 123442794 20 123442794 22 123442794 23 123442794 23 123442794 24	Catherine Magone her job? A. Diane felt that she was in her office too much. Q. She felt it or she expressed that to you? A. She expressed that to me. Q. Did she document that in writing? A. No, she did not. Q. Did you document that in writing? A. No, I did not. Q. Where was Diane if she was in her units that she knew that Ms. Newmark was in her office too much? A. She would be looking for her and that's where she would find her. Q. So she did find her? A. In her office. Q. You said she was looking for her MR. KEIL: Objection. Q and she was able to find her? A. Yes. Q. So when you said she had been looking for Ms. Newmark, you weren't meaning to
1200 100 100 100 100 100 100 100 100 100	require the travel back and forth or was it just salary? A. (No response.) Q. You indicated you didn't have money in your budget for travel back and forth. Did she ask you did she ask for travel? A. No, but I would expect to pay for her travel. Q. Did she ask you to? A. We never got that far. Q. So Ms. Galloway offered to train but you said no? A. Right, because she was already gone. Q. When was the next time that Ms. Lantz communicated any concerns to you? A. She communicated them on an ongoing basis. But, you know, I don't have any documentation of dates and times. She was just concerned. Q. What did she say the second time she communicated with you?	12442004 2 12542004 5 12542004 6 12542004 10 12542004 11 12542004 11 12542004 11 12542004 11 12542004 11 11 12542004 11 11 12542004 11 11 11 11 11 11 11 11 11 11 11 11 11	A. Diane felt that she was in her office too much. Q. She felt it or she expressed that to you? A. She expressed that to me. Q. Did she document that in writing? A. No, she did not. Q. Did you document that in writing? A. No, I did not. Q. Where was Diane if she was in her units that she knew that Ms. Newmark was in her office too much? A. She would be looking for her and that's where she would find her. Q. So she did find her? A. In her office. Q. You said she was looking for her

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1		151
#-05PM Z		1 Catherine Magone
3		1297364 2 Struggling?
4		That I mat I was perceiving.
5		uses 4 That's why this was kind of like a little
· 18-10/iu 6		- Tricorionaggi,
98-18PM 7	writing?	Does it say that anywhere? Does it
:sa:tseia 8		7 say anywhere in words or substance that she was
29-19M 9	it.	8 struggling and you were being a little
-sa-isem 10	Q. Did you ever document it in writing	9 cheerleader as you put it?
:35:NPM 11	as you were good enough to document some	rianesi 10 A. No.
:ss 100 12	incidents	Q. Can I have that back?
	MR. KEIL: Objection.	MS. NICAJ: 12, please.
.a.m. 14	Q. Hold on a second.	(Plaintiff's Exhibit 12
:*:::: 15	some incidents in writing about	14 4/17/06 Nomination for Big Heart Award
;sesou 16	Ms. Newmark's various issues? Did you ever	15 marked for identification, as of this
20527Nu 17	document that fact in writing, that she wasn't	16 date.)
23620m 18	good in returning phone calls?	17 Q. I'm going to direct your attention
2531M 19	A. No. Because I only started	18 to Plaintiff's Exhibit 12. Do you recognize
75641PM 20	documenting when I had the direct supervision of	Issue 19 that?
242m 21	her.	
292350 22	Q. Ms. Lantz ceased being her direct	Q. Did you ever see this prior to
23 marie 23	supervisor when?	12miles 22 today?
24 24	A. In July.	23 A. Yes.
25 25	Q. Did you ever send E-mails to	Q. When was the first time?
	COMPU-TRAN SHORTHAND REPORTING	25 A. I don't recall the exact date.
	150	COMPU-TRAN SHORTHAND REPORTING
	17317	420
1		152
1 ::ss:::::::::::::::::::::::::::::::::	Catherine Magone	1 Catherine Magone
1 235000 2 2350000 3	Catherine Magone Ms. Newmark indicating she was amazing?	1 Catherine Magone 2 Q. Do you know whether Ms. Newmark
23800PM 2	Catherine Magone Ms. Newmark indicating she was amazing? A. Yes, I did.	Catherine Magone Q. Do you know whether Ms. Newmark received more than one nomination for a big
2 2 n	Catherine Magone Ms. Newmark Indicating she was amazing? A. Yes, I did. MS. NICAJ: Can you mark	Catherine Magone Q. Do you know whether Ms. Newmark Reserved more than one nomination for a big Reserved 4 heart award?
2250000 3 2250000 4	Catherine Magone Ms. Newmark indicating she was amazing? A. Yes, I did. MS. NICAJ: Can you mark this as 11.	Catherine Magone Q. Do you know whether Ms. Newmark received more than one nomination for a big heart award? A. Not to my knowledge.
2000m 2 2000m 3 2000m 4 2000m 5	Catherine Magone Ms. Newmark indicating she was amazing? A. Yes, I did. MS. NICAJ: Can you mark this as 11. A. Actually, what I said is will be	Catherine Magone Q. Do you know whether Ms. Newmark received more than one nomination for a big trace 4 heart award? A. Not to my knowledge. Did you ever do anything in
12360004 2 12360004 3 12361204 4 12361204 5	Catherine Magone Ms. Newmark indicating she was amazing? A. Yes, I did. MS. NICAJ: Can you mark this as 11. A. Actually, what I said is will be amazing.	Catherine Magone Q. Do you know whether Ms. Newmark received more than one nomination for a big heart award? A. Not to my knowledge. Did you ever do anything in connection with receiving the nomination for big
123600P4 2 123600P4 3 123600P4 4 123600P4 5 123600P4 6 123600P4 7	Catherine Magone Ms. Newmark indicating she was amazing? A. Yes, I did. MS. NICAJ: Can you mark this as 11. A. Actually, what I said is will be amazing. (Plaintiff's Exhibit 11	Catherine Magone Q. Do you know whether Ms. Newmark received more than one nomination for a big heart award? A. Not to my knowledge. Did you ever do anything in connection with receiving the nomination for big heart award with respect to Ms. Newmark?
123600004 3 12360000 3 12360000 5 12360000 6 12360000 7 12360000 8	Catherine Magone Ms. Newmark indicating she was amazing? A. Yes, I did. MS. NICAJ: Can you mark this as 11. A. Actually, what I said is will be amazing. (Plaintiff's Exhibit 11 5/11/06 Memo marked for identification, as-	Catherine Magone Q. Do you know whether Ms. Newmark received more than one nomination for a big heart award? A. Not to my knowledge. Did you ever do anything in connection with receiving the nomination for big heart award with respect to Ms. Newmark? A. No.
123600094 22 123600094 3 123602094 4 123602094 5 123602094 6 123602094 8 9	Catherine Magone Ms. Newmark indicating she was amazing? A. Yes, I did. MS. NICAJ: Can you mark this as 11. A. Actually, what I said is will be amazing. (Plaintiff's Exhibit 11 5/11/06 Memo marked for identification, as of this date.)	Catherine Magone Q. Do you know whether Ms. Newmark received more than one nomination for a big heart award? A. Not to my knowledge. Did you ever do anything in connection with receiving the nomination for big heart award with respect to Ms. Newmark? A. No. A. No. Did you ever have a procedure by
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22 (2300000 3 3 (23000000 3 5 6 6 7 2300000 1 7 (23000000 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Ms. Newmark indicating she was amazing? A. Yes, I did. Ms. NICAJ: Can you mark this as 11. A. Actually, what I said is will be amazing. (Plaintiff's Exhibit 11 5/11/06 Memo marked for Identification, as of this date.) Q. I'm going to direct your attention to Plaintiff's Exhibit 11. Do you see that? A. Yes, I do. Q. Now, it says, "Unfortunately I don't have all the right answers, but I will always try and help you to find the resources that you need." What were you referring to? A. Well, I first of all, it is my style to try to bring positive moments when people are new at a job and try to support them	Catherine Magone Q. Do you know whether Ms. Newmark received more than one nomination for a big heart award? A. Not to my knowledge. Q. Did you ever do anything in connection with receiving the nomination for big heart award with respect to Ms. Newmark? A. No. Did you ever have a procedure by which you did do that for other employees? MR. KEIL: Objection as to form. A. It is my style if I think about it, I will try to give recognition to people, but it is not always. Q. When you say you give recognition to people, what do you do? A. If I knew about it and thought named 20 about it, I might bring it up in line up. But I
22 (22000 PM 2 3 (22000 PM 3 4 (22000 PM 6 6 (22000 PM 6 7 (22000 PM 6 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Ms. Newmark indicating she was amazing? A. Yes, I did. MS. NICAJ: Can you mark this as 11. A. Actually, what I said is will be amazing. (Plaintiff's Exhibit 11 5/11/06 Memo marked for Identification, as of this date.) Q. I'm going to direct your attention to Plaintiff's Exhibit 11. Do you see that? A. Yes, I do. Q. Now, it says, "Unfortunately I don't have all the right answers, but I will always try and help you to find the resources that you need." What were you referring to? A. Well, I first of all, it is my style to try to bring positive moments when people are new at a job and try to support them when I see they are struggling. And at that	Catherine Magone Q. Do you know whether Ms. Newmark received more than one nomination for a big heart award? A. Not to my knowledge. Q. Did you ever do anything in connection with receiving the nomination for big heart award with respect to Ms. Newmark? A. No. Did you ever have a procedure by which you did do that for other employees? MR. KEIL: Objection as to form. A. It is my style if I think about it, I will try to give recognition to people, but it is not always. Q. When you say you give recognition to people, what do you do? A. If I knew about it and thought macure 20 about it, I might bring it up in line up. But I don't do that all the time.
22 (2300000 3 3 (23000000 3 5 6 6 7 2300000 6 7 (2300000 1 1 0 1 2300000 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Ms. Newmark indicating she was amazing? A. Yes, I did. MS. NICAJ: Can you mark this as 11. A. Actually, what I said is will be amazing. (Plaintiff's Exhibit 11 5/11/06 Memo marked for identification, as of this date.) Q. I'm going to direct your attention to Plaintiff's Exhibit 11. Do you see that? A. Yes, I do. Q. Now, it says, "Unfortunately I don't have all the right answers, but I will always try and help you to find the resources that you need." What were you referring to? A. Well, I first of all, it is my style to try to bring positive moments when people are new at a job and try to support them when I see they are struggling. And at that time Carole was still struggling, getting used	Catherine Magone Q. Do you know whether Ms. Newmark received more than one nomination for a big heart award? A. Not to my knowledge. Q. Did you ever do anything in connection with receiving the nomination for big heart award with respect to Ms. Newmark? A. No. Did you ever have a procedure by which you did do that for other employees? MR. KEIL: Objection as to form. A. It is my style if I think about it, I will try to give recognition to people, but it is not always. Q. When you say you give recognition to people, what do you do? A. If I knew about it and thought about it, I might bring it up in line up. But I don't do that all the time. Q. Did you do that with respect to
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22 (2300 PM 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	Ms. Newmark indicating she was amazing? A. Yes, I did. Ms. NICAJ: Can you mark this as 11. A. Actually, what I said is will be amazing. (Plaintiff's Exhibit 11 5/11/06 Memo marked for identification, as of this date.) Q. I'm going to direct your attention to Plaintiff's Exhibit 11. Do you see that? A. Yes, I do. Q. Now, it says, "Unfortunately I don't have all the right answers, but I will always try and help you to find the resources that you need." What were you referring to? A. Well, I first of all, it is my style to try to bring positive moments when people are new at a job and try to support them when I see they are struggling. And at that time Carole was still struggling, getting used to her job, so I decided to send her a nice E-mail.	Catherine Magone Q. Do you know whether Ms. Newmark received more than one nomination for a big heart award? A. Not to my knowledge. Did you ever do anything in connection with receiving the nomination for big heart award with respect to Ms. Newmark? A. No. Did you ever have a procedure by which you did do that for other employees? MR. KEIL: Objection as to form. A. It is my style if I think about it, I will try to give recognition to people, but it is not always. DIAMONIA 17 Q. When you say you give recognition to people, what do you do? A. If I knew about it and thought about it, I might bring it up in line up. But I don't do that all the time. Q. Did you do that with respect to Ms. Newmark? A. No.
22 2300000 3 3 22000000 3 4 72000000 5 5 7 7 12000000 10 10 12000000 11 12000000 11 12000000 11 12000000 11 15 12000000 11 15 12000000 11 16 12000000 11 17 12000000 11 18 12000000 11 12 12000000 11 12 12 12 12 12 12 12 12 12 12 12 12	Ms. Newmark indicating she was amazing? A. Yes, I did. Ms. NICAJ: Can you mark this as 11. A. Actually, what I said is will be amazing. (Plaintiff's Exhibit 11 5/11/06 Memo marked for identification, as of this date.) Q. I'm going to direct your attention to Plaintiff's Exhibit 11. Do you see that? A. Yes, I do. Q. Now, it says, "Unfortunately I don't have all the right answers, but I will always try and help you to find the resources that you need." What were you referring to? A. Well, I first of all, it is my style to try to bring positive moments when people are new at a job and try to support them when I see they are struggling. And at that time Carole was still struggling, getting used to her job, so I decided to send her a nice E-mail. Q. Where do you say here that she was	Catherine Magone Q. Do you know whether Ms. Newmark received more than one nomination for a big heart award? A. Not to my knowledge. Q. Did you ever do anything in connection with receiving the nomination for big heart award with respect to Ms. Newmark? A. No. Did you ever have a procedure by which you did do that for other employees? MR. KEIL: Objection as to form. A. It is my style if I think about it, I will try to give recognition to people, but it is not always. Q. When you say you give recognition to people, what do you do? A. If I knew about it and thought about it, I might bring it up in line up. But I don't do that all the time. Q. Did you do that with respect to Ms. Newmark? A. No. Q. Apart from Plaintiff's Exhibit 8
22 23 12.00 PM 2 24 22.20 24 25 25 25 25 25 25 25 25 25 25 25 25 25	Ms. Newmark indicating she was amazing? A. Yes, I did. Ms. NICAJ: Can you mark this as 11. A. Actually, what I said is will be amazing. (Plaintiff's Exhibit 11 5/11/06 Memo marked for Identification, as of this date.) Q. I'm going to direct your attention to Plaintiff's Exhibit 11. Do you see that? A. Yes, I do. Q. Now, it says, "Unfortunately I don't have all the right answers, but I will always try and help you to find the resources that you need." What were you referring to? A. Well, I first of all, it is my style to try to bring positive moments when people are new at a job and try to support them when I see they are struggling. And at that time Carole was still struggling, getting used to her job, so I decided to send her a nice E-mail. Q. Where do you say here that she was COMPU-TRAN SHORTHAND REPORTING	Catherine Magone Q. Do you know whether Ms. Newmark received more than one nomination for a big heart award? A. Not to my knowledge. Did you ever do anything in connection with receiving the nomination for big heart award with respect to Ms. Newmark? A. No. Did you ever have a procedure by which you did do that for other employees? MR. KEIL: Objection as to form. A. It is my style if I think about it, I will try to give recognition to people, but it is not always. DIAMONIA 17 Q. When you say you give recognition to people, what do you do? A. If I knew about it and thought about it, I might bring it up in line up. But I don't do that all the time. Q. Did you do that with respect to Ms. Newmark? A. No.

		t 21-5	Filed 09/02/2008 Page 19 of 53
_	153		155
1		1	Catherine Magone
00.2794 2		озветёры 2	A. Nine.
****** 3	production of the second secon	6100:200m 3	Q. Colette in this Instance, did you
- 4		енчизич 4	ever ask Ms. Newmark about what her view of this
5		175 mm 5	incident was, Plaintiff's Exhibit 14?
6	Ç	01 60 0 FM	A. No, I did not.
7	8/31/06 Memo marked for identification, as	pasy 4004 7	Q. Is there a reason why not?
8	of this date.)	01-isy count 8	A. Because I called her and asked her
9	Ç. == C. = = .	DESEMBLE 9	to do the PRI.
10	9/1/06 Memo marked for identification, as	01005.00PM 10	Q. Did you ask Ms. Newmark?
11	of this date.)	D100500M 11	A. I did ask her why she didn't
12	(Plaintiff's Exhibit 15	υ∞s≠ 12	respond.
13	9/7 Memo marked for identification, as of	at 13	Q. What did she say to you?
14	this date.)	piessane 14	A. She said to me that she didn't get
15	(Plaintiff's Exhibit 16	отжанен 15	the message.
16	9/12/06 Memo marked for identification, as	0105.EF4 16	Q. Did you put that anywhere in
10025FB 17	of this date.)	Pistary 17	writing?
лазия 18	Q. I'm going to direct your attention	D1.05.877M 18	A. No, I did not.
19 way	to what is marked as Plaintiff's Exhibit 13. Do	0105588Mi 19	Q. Directing your attention to
	you recognize that?	20	Plaintiff's Exhibit 15, what does Plaintiff's
	A. Yes, I do.	marizm 21	Exhibit 15 relate to?
1200 PM 22	Q. Exhibit 13, did you ever show this	янеции 22	A. It relates to evidence of poor
123mg 23	to Ms. Newmark?	лени 23	documentation. Patients should not remain in
1.00me 24	A. No, I did not.	01:01:11mx 24	the ICU for two weeks with only one social work
1900 25	Q. You recount what someone by the	, 25	note.
	COMPU-TRAN SHORTHAND REPORTING	Acres in E.O.	COMPU-TRAN SHORTHAND REPORTING
· —	154		156
1	Catherine Magone	1 1	Catherine Magone
никоч 2	name of Susan relayed to you, is that right?	01m2jm/ 2	Q. Was that placed in Nicole Serra's
этанам 3	A. Yes.	п.есте 3	file?
полити 4	Q. Did you ever ask Ms. Newmark about	01.01.27FM 4	A. This was a case that Carole was
)1,0100m 5	her side of the story, so to speak?	01-01-01-01 5	working on.
покары 6	A. No, I did not.	11.00.000 G	Q. How do you know it was a case that
няс іны 7	Q. Did you ever attempt to ask	7	Carole was working on?
локим В	Ms. Newmark about her side of the story?	ликалы /	
norma 9	A. No.		
310429PW 10	Q. It says one of the CM staff. Is	40	case manager.
instant 11	that case management?	0 magnet 10	Q. Where is that stated anywhere in
315425FM 17	A. Correct.	1	Plaintiff's Exhibit 15? Where is the reference
лэгээн 12 лэгээн 13	Q. Susan is what is her position?	12	to the particular social worker, Ms. Newmark,
имана 14	A. Case manager.	лякен 13 4.4	Ms. Serra, hold on a second, or the case manager
4 =		massa 14	for
40	Q. Did you ever speak to Ms. Newmark at any of the meetings you attended with Pat	15	A. That was involved in
		11000 16	Q. Yes.
naces 17	Orsala about the issue that is relayed in Plaintiff's Exhibit 13?	мазим 17 40	A. I have access to MIDAS (ph). We
40	<u> </u>	⊕***** 18	are on Meditech. We are electronic. And I can
	A. No.	massu 19	go in to see what, who is the social worker and
10 minimum 20	Q. Directing your attention to	оциялим 20	when the note was written, so it is a fact.
21	Plaintiff's Exhibit 14, do you see that?	ள _ை 21	Q. Why wasn't that stated anywhere in
22	A. Yes.	nsom 22	what is Plaintiff's Exhibit 15?
opa. 23	Q. This case manager that you are	11.57 times 23	A. I didn't feel it was necessary.
01:00:00m 24	referring to, there are how many case managers	orazaina 24	Q. You didn't feel identifying the
_{пастич} 25	in the case management department?	01.00 (SPM) 25	social worker was necessary?
	COMPU-TRAN SHORTHAND REPORTING	1	COMPU-TRAN SHORTHAND REPORTING
9 of 63 she		156 of 189	02/26/2009 \$1.46-F2 AM

	(Case 7:07-cv-02861-CS Documen	t 21-5 -	Filed 09	9/02/2008 Page 20 of 53
1		Catherine Magone	1		159
or 12Pw 2	A.	If it is in her file.		Q.	Catherine Magone Did she fill that form out?
	Q.	Whose file?	61.00.37mi Z	д. А.	She did afterwards.
. 4	A.	Carole's file.	01.042Hyd 3	Q.	So at that point it wasn't an
5	Q.	What about the case manager you	1 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0		led time off?
опин 6		eferred to?		A.	•
oraen 7	Α.	I didn't include that.	11.00 mm 0		No. But originally I had wanted to
przesu 8	Q.	Why not?	oraciona 8		out whether or not I was going to
## 9	Α.	Well, I felt it was really		approve Q.	
arane 10		t, because I went into the medical	nistera 10		What was the reason for her taking
orzani 11		yself and saw that what the person told	nasan 10	A.	hat you came to learn?
orsen 12		ctually true.	51,965,794 12	Q.	I don't understand the question.
13	Q.	What was this person?	910000 12	Δ. Α.	Why did she request the time off? Which time off?
₁₇₃₁ 14	Ā.	The case manager when she got to		Q.	In reference to the
	the floor.	The case manager when she got to		Q. Α.	The three
_{ятень} 16	Q.	Who is the case manager?	91:18:00tu 15	Q.	No. You said I spoke
anapu 17	A.	I don't recall which case manager	D1:10:00% 17	Д. А.	Oh, she had a procedure, yes,
***** 18	it was.	The state of the s	01:10:00FM 18		procedure.
	Q.	Okay.	61:00:00 19	Q.	What was the procedure?
20 may 20	À.	It showed no follow up.	10 acres 20	Α.	A colonoscopy.
, 21	Q.	Incidentally, by August 31, 2006,		Q.	
#3N 22		een aware that Ms. Newmark had	******* 22		Did you ever show Ms. Newmark any
srami 23		d about you about ageism, isn't that	o1:10:2094 2.2	A.	respondence concerning her? No.
merty 24	right?	a a a a a a a a a a a a a a a a a a a	01:0254 24	Q.	
25	Α.	That's correct.	1110384 25	evaluation	Did you ever give her a performance
		COMPU-TRAN SHORTHAND REPORTING	CERCONS ES		: COMPU-TRAN SHORTHAND REPORTING
			1		
		158			
1		158 Catherîne Magone	1		160
1 	Q.	Catherine Magone] ;		160 Catherine Magone
	- - -	Catherine Magone So there is no reference to which	1 0:1030m 2	A.	160 Catherine Magone At her termination meeting.
	social work	Catherine Magone	01:1034th 2	A. Q.	160 Catherine Magone At her termination meeting. Prior to her termination meeting,
150 SEPTE 2	social work	Catherine Magone So there is no reference to which ser or case manager. Did you speak to	Distriction 2 ottoma 3 ottoma 4	A. Q. did you ev	160 Catherine Magone At her termination meeting. Prior to her termination meeting, ver sit with her and go over her
3 (mages) 4	social work Ms. Newma	Catherine Magone So there is no reference to which ser or case manager. Did you speak to ark about this?	01:10:0014 4 :01:10:0014 5	A. Q. did you ev performan	Catherine Magone At her termination meeting. Prior to her termination meeting, ver sit with her and go over her see?
3 (mages) 4	social work Ms. Newma A.	Catherine Magone So there is no reference to which ser or case manager. Did you speak to ark about this? Yes.	Distriction 2 ottoma 3 ottoma 4	A. Q. did you ev performan	Catherine Magone At her termination meeting. Prior to her termination meeting, ver sit with her and go over her ice? The performance evaluation, per se?
1500000 2 1500000 3 1500000 5 15000000 5	social work Ms. Newma A. Q.	Catherine Magone So there is no reference to which ser or case manager. Did you speak to ark about this? Yes. Where is that documented?	Di-103494 2 01.1024094 4 101.1024094 5 01.1024094 6 01.1024094 7	A. Q. did you ev performan A. Q.	Catherine Magone At her termination meeting. Prior to her termination meeting, er sit with her and go over her see? The performance evaluation, per se? Performance evaluation, yes.
1500000 2 1500000 3 1500000 4 1500000 5 1500000 6	social work Ms. Newma A. Q. A.	Catherine Magone So there is no reference to which ser or case manager. Did you speak to ark about this? Yes. Where is that documented? I didn't document it.	01:103494 2 01:103494 4 01:103494 5 01:103494 6 01:103494 7	A. Q. did you ev performan	Catherine Magone At her termination meeting. Prior to her termination meeting, ver sit with her and go over her sice? The performance evaluation, per se? Performance evaluation, yes. No.
1500 1500 1500 1500 1500 1500 1500 1500	social work Ms. Newma A. Q. A. Q.	Catherine Magone So there is no reference to which ser or case manager. Did you speak to ark about this? Yes. Where is that documented? I didn't document it. What did she say? Over worked, unable to get to all	Dictoriona	A. Q. did you ev performan A. Q. A.	Catherine Magone At her termination meeting. Prior to her termination meeting, ver sit with her and go over her ice? The performance evaluation, per se? Performance evaluation, yes. No. (Plaintiff's Exhibit 17
1500 1500 1500 1500 1500 1500 1500 1500	social work Ms. Newma A. Q. A. Q. A. A.	Catherine Magone So there is no reference to which ser or case manager. Did you speak to ark about this? Yes. Where is that documented? I didn't document it. What did she say? Over worked, unable to get to all	Distribution	A. Q. did you ev performan A. Q. A.	Catherine Magone At her termination meeting. Prior to her termination meeting, ver sit with her and go over her see? The performance evaluation, per se? Performance evaluation, yes. No. (Plaintiff's Exhibit 17
1500000 2 1500000 4 1500000 5 1500000 7 1500000 7 1500000 9 1500000 10	social work Ms. Newma A. Q. A. Q. A. her cases.	Catherine Magone So there is no reference to which ser or case manager. Did you speak to ark about this? Yes. Where is that documented? I didn't document it. What did she say? Over worked, unable to get to all	01:103:04a 2 01:102:04a 4 101:10:04a 5 01:10:04a 6 01:10:04a 7 11:10:00a 8	A. Q. did you ev performan A. Q. A.	Catherine Magone At her termination meeting. Prior to her termination meeting, ver sit with her and go over her oce? The performance evaluation, per se? Performance evaluation, yes. No. (Plaintiff's Exhibit 17 5/06 Memo marked for identification, as its date.)
1500 1500 1500 1500 1500 1500 1500 1500	social work Ms. Newma A. Q. A. Q. A. Q. A. her cases.	Catherine Magone So there is no reference to which ser or case manager. Did you speak to ark about this? Yes. Where is that documented? I didn't document it. What did she say? Over worked, unable to get to all	Dictoloma 2	A. Q. did you ev performan A. Q. A. 10/5 of th Q.	Catherine Magone At her termination meeting. Prior to her termination meeting, yer sit with her and go over her oce? The performance evaluation, per se? Performance evaluation, yes. No. (Plaintiff's Exhibit 17 5/06 Memo marked for identification, as its date.) Directing your attention to
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18 Q. Where is that contained in writing 19 that she was visibly angry and couldn't get her 20 work done? 21 A. She was visibly angry and she was 22 talking amongst the other case managers and 23 social workers. 24 Q. In your presence? 25 A. No, but I was hearing about it. COMPU-TRAN SHORTHAND REPORTING 26 to Plaintiff's Exhibit 18 for identification. 26 Do you recognize that document? 27 A. I do. 28 Did you ever respond to Ms. Newmark 29 In writing? 20 to Plaintiff's Exhibit 18 for identification. 20 Do you recognize that document? 21 Do you recognize that document? 22 In writing? 23 Q. Did you ever respond to Ms. Newmark 24 In writing? 25 A. I don't recall. 26 COMPU-TRAN SHORTHAND REPORTING				•
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25 A. No, but I was hearing about it. COMPU-TRAN SHORTHAND REPORTING COMPU-TRAN SHORTHAND REPORTING			этэт жээ 23	Q. Did you ever respond to Ms. Newmark
COMPU-TRAN SHORTHAND REPORTING COMPU-TRAN SHORTHAND REPORTING	14:22PM 24	,	01:1751FM 24	in writing?
	, 25		_{энтээт} 25	A. I don't recall.
				COMPU-TRAN SHORTHAND REPORTING

	Case 7:07-cv-02861-CS Documen	t 21-5 -	Filed 09/02/2008 Page 22 of 53
1	Catherine Magone		167
2	(Plaintiff's Exhibit 19	1 1	Catherine Magone
3	9/19/06 Memo marked for identification, as	патани 2	•• •• ••
4	of this date.)	. 0525020mu 3	A. I don't know.
5	·	4	(Plaintiff's Exhibit 21
	,	1 :	24-page Human Resource Policies and
1947W U	marked as Exhibit 19 for identification. Do you see that?	6	Procedures Guide marked for
ILINEA /	•	01:22×6Pu /	identification, as of this date.)
usone O	· · · · · · · · · · · · · · · · · · ·	01/223/48PM 8	Q. I'm going to show you what has been
. HSON 3	Q. Did you communicate with	пини 9	marked as Plaintiff's Exhibit 21 for
10 jesses	Ms. Newmark about what is marked as Plaintiff's	10 was	Identification. Directing your attention to
11 Marian	Exhibit 19?	0122:07W 11	I'm going to read to you, it is Lawrence
пким 12	A. I communicated with her regarding	21.22.00 7W 12	Hospital Human Resources Policies and Procedures
13 marks 13	that there had been no note and no plan on this	01250Ft 13	Guide. I have them Bates stamped N 423 through
пини 14	patient.	1122.14м. 14	N 446. To your knowledge, was Ms. Newmark a
1792194 15	Q. Did you reduce that in writing?	012127Nu 15	non-exempt employee or an exempt employee?
1:H21PM 16	A. I did not.	павы 16	A. Exempt.
;зары 17	Q. Do you know what Colette Gelardi	******* 17	Q. That means what?
18 mains	meant by just thought you might like to know,	.01,22200ML 18	A. Where are you? I'm asking you,
тиканы 19	hope you are having a good time if you pick this	этамч 19	Q. That means what?
ъпдъс 20	up?	oizzaru 20	A. What does an exempt employee mean?
6изии 21	A. I was on vacation.	_{11,22,380} , 21	Q. Yes.
22	(Plaintiff's Exhibit 20	0122 0nu 22	A. It's a salaried employee.
23	9-page Performance Evaluation marked for	наже 23	Q. To your knowledge, how long is
·········· 24	identification, as of this date.)	ாள்ள 24	probationary period for a salaried employee?
-25 · 25	Q. I'm going to direct your attention	masses 25	A. Six months.
	COMPU-TRAN SHORTHAND REPORTING		COMPU-TRAN SHORTHAND REPORTING
<u>.</u> .	166		168
1	Catherine Magone	1	Catherine Magone
17200-жим 2	to what's been marked as Plaintiff's Exhibit 20		
_	**************************************	misseni 2	Q. For 180 days?
112#33PM 3	for identification. Do you recognize that	0122310s 3	A. Yes.
пархом 3	for identification. Do you recognize that exhibit?	,	A. Yes.Q. It says here probationary period
	for identification. Do you recognize that exhibit? A. Yes.	0122341Fee 3	A. Yes. Q. It says here probationary period may be extended. I direct your attention to 424
нами 4	for identification. Do you recognize that exhibit? A. Yes. Q. What do you recognize it to be?	012251PM 4	A. Yes. Q. It says here probationary period may be extended. I direct your attention to 424 at the bottom, overview of probationary periods,
поками 4 поками 5	for identification. Do you recognize that exhibit? A. Yes. Q. What do you recognize it to be? A. It is the performance evaluation	012234784 3 112235784 4 112238784 5	A. Yes. Q. It says here probationary period may be extended. I direct your attention to 424
112030FM 4 212030FM 5 313030FM 6	for identification. Do you recognize that exhibit? A. Yes. Q. What do you recognize it to be? A. It is the performance evaluation for Carole Newmark.	01223176 4 91225176 5 91223076 5	A. Yes. Q. It says here probationary period may be extended. I direct your attention to 424 at the bottom, overview of probationary periods,
наковии 4 наковии 5 наковии 6 наковии 7	for identification. Do you recognize that exhibit? A. Yes. Q. What do you recognize it to be? A. It is the performance evaluation for Carole Newmark. Q. Do you see on the very first page	01223194 4 81233194 5 91233194 5 91243194 7	A. Yes. Q. It says here probationary period may be extended. I direct your attention to 424 at the bottom, overview of probationary periods, 1.2. And the third sentence of that paragraph
11202000 4 21202000 5 21202000 7 21202000 7 21202000 9 21202000 10	for identification. Do you recognize that exhibit? A. Yes. Q. What do you recognize it to be? A. It is the performance evaluation for Carole Newmark. Q. Do you see on the very first page of that document, I'm going to direct your	01223176 4 91225176 4 81223816 5 91243876 6 91243876 7	A. Yes. Q. It says here probationary period may be extended. I direct your attention to 424 at the bottom, overview of probationary periods, 1.2. And the third sentence of that paragraph which reads or the fourth, actually
11203074 4 11203074 5 11203074 7 11203074 8 12203074 9 11203074 10	for identification. Do you recognize that exhibit? A. Yes. Q. What do you recognize it to be? A. It is the performance evaluation for Carole Newmark. Q. Do you see on the very first page of that document, I'm going to direct your attention, it says "Date of hire," very first	01223104 3 81225104 4 8122864 5 9224864 6 0134364 7 0134364 8	A. Yes. Q. It says here probationary period may be extended. I direct your attention to 424 at the bottom, overview of probationary periods, 1.2. And the third sentence of that paragraph which reads or the fourth, actually "Extensions should have the approval of human resources." Do you see that? A. Yes.
11203000 4 11203000 5 11203000 7 11203000 7 11203000 9 11203000 10 11203000 11	for identification. Do you recognize that exhibit? A. Yes. Q. What do you recognize it to be? A. It is the performance evaluation for Carole Newmark. Q. Do you see on the very first page of that document, I'm going to direct your attention, it says "Date of hire," very first page. Date of hire is March 20, 2006?	012231764 4 a12330764 5 streams 6 otopiasis 7 otopiasis 8 otopiasis 9 otopiasis 10	A. Yes. Q. It says here probationary period may be extended. I direct your attention to 424 at the bottom, overview of probationary periods, 1.2. And the third sentence of that paragraph which reads or the fourth, actually "Extensions should have the approval of human resources." Do you see that? A. Yes. Q. Did you ever receive the approval
1200000 4 1200000 5 1200000 7 1200000 7 1200000 10 1200000 11 1200000 12 1200000 12	for identification. Do you recognize that exhibit? A. Yes. Q. What do you recognize it to be? A. It is the performance evaluation for Carole Newmark. Q. Do you see on the very first page of that document, I'm going to direct your attention, it says "Date of hire," very first page. Date of hire is March 20, 2006? A. Correct.	012231704 4 812231704 5 812231704 6 012431704 7 012431704 9 0124231704 10 0124231704 12 612423704 12	A. Yes. Q. It says here probationary period may be extended. I direct your attention to 424 at the bottom, overview of probationary periods, 1.2. And the third sentence of that paragraph which reads or the fourth, actually "Extensions should have the approval of human resources." Do you see that? A. Yes.
11203000 4 11203000 6 11203000 7 11203000 99 11203000 11 11203000 11 11203000 12 11203000 13	for identification. Do you recognize that exhibit? A. Yes. Q. What do you recognize it to be? A. It is the performance evaluation for Carole Newmark. Q. Do you see on the very first page of that document, I'm going to direct your attention, it says "Date of hire," very first page. Date of hire is March 20, 2006? A. Correct. Q. How long was the probationary	01223104 3 81225104 4 81228004 5 92263004 7 01343004 9 9222400 10 91222004 11 01262004 11	A. Yes. Q. It says here probationary period may be extended. I direct your attention to 424 at the bottom, overview of probationary periods, 1.2. And the third sentence of that paragraph which reads or the fourth, actually "Extensions should have the approval of human resources." Do you see that? A. Yes. Q. Did you ever receive the approval of human resources? A. Yes.
11203000 4 11203000 6 11203000 7 11203000 9 11203000 10 112030000 11 11203000 12 12303000 13	for identification. Do you recognize that exhibit? A. Yes. Q. What do you recognize it to be? A. It is the performance evaluation for Carole Newmark. Q. Do you see on the very first page of that document, I'm going to direct your attention, it says "Date of hire," very first page. Date of hire is March 20, 2006? A. Correct. Q. How long was the probationary period?	012231704 4 812231704 5 812231704 6 012431704 7 012431704 9 0124231704 10 0124231704 12 612423704 12	A. Yes. Q. It says here probationary period may be extended. I direct your attention to 424 at the bottom, overview of probationary periods, 1.2. And the third sentence of that paragraph which reads or the fourth, actually "Extensions should have the approval of human resources." Do you see that? A. Yes. Q. Did you ever receive the approval of human resources?
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112000000 4 112000000 6 112000000 7 112000000 10 112000000 11 112000000 12 112000000 14 112000000 15 112000000 15 112000000 15 112000000 15 112000000 16 112000000 16 112000000 16 112000000 16	for identification. Do you recognize that exhibit? A. Yes. Q. What do you recognize it to be? A. It is the performance evaluation for Carole Newmark. Q. Do you see on the very first page of that document, I'm going to direct your attention, it says "Date of hire," very first page. Date of hire is March 20, 2006? A. Correct. Q. How long was the probationary period? A. Six months. Q. And that expired September 20, 2006, is that right?	01223104 4 a1223104 5 a1223104 6 a1223104 7 a1223104 9 a1242404 10 a1242404 12 a1242404 13 a1242404 13 a1242404 14 a1242404 15 a1242404 15	A. Yes. Q. It says here probationary period may be extended. I direct your attention to 424 at the bottom, overview of probationary periods, 1.2. And the third sentence of that paragraph which reads or the fourth, actually "Extensions should have the approval of human resources." Do you see that? A. Yes. Q. Did you ever receive the approval of human resources? A. Yes. Q. Did you document it? Did you put your request in writing?
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эмм 2	one of the alternatives is if an opportunity for	010720942	Q. What interactions, if any, did you
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· 4	terminated. Do you see that?	01:27:305-14	4 October 5?
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iasium 7	during that probationary period that expired on	(1120200)	and appointment of Micore 26119
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15 mm 15	Q. Did you communicate with	15 mga sana 15	to you recall ever meeting with
нажни 16	Ms. Newmark that her probationary period was	0122000-0 16	The second second concerns about
n2201€ 17	going to be extended after before September	01200PM 17	A. I don't recall.
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20 marine 20	Q. When did you first communicate with	112227W 20	connection with Ms. Newmark's complaint about
этажиры 21	her that her probationary period was going to be	manu 20	S. S
nation 22	extended, at the September 28 meeting, isn't	012030M Z 1	MR. KEIL: Apart from
нами 23	that right?	D1202FM ZZ	discussions with counsel?
наам 24	A. I think it was prior to that,	1 -	MS. NICAJ: I'm not talking
×≈== 25	Q. When prior to that?	DIESTA 24	about I mean during her employment at
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127164 23	Q. Let me finish asking the question.	пэнені 2	A. No,	
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2307228M 25	unrest, and then I also asked you what was	мжже 2	A. Ms. Anderson had been out v	
11372m 20	COMPU-TRAN SHORTHAND REPORTING	пани 2	broken leg for twelve weeks. And when	
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лапани 4 погани 5 ратани 6 погани 9 патни 10 патни 11 патни 12 патни 12 патни 13 патни 14 патни 15 пани 16 патни 16 патни 17 пакани 18 патни 18	A. It is one of the things we decided to do is we put money in the budget so we could get case managers to get to go on conferences so they would feel more fulfilled and rewarded. That was one of the things we did that year. Q. Did anyone ever advise you in words or substance that the staff was communicating their concerns about you A. No. Q to anyone? A. No. Q. You are considered a manager as a director, is that right? A. Right. Q. Have you had any discrimination	01-0020004 01-002004 01-002004 01-002004 01-002004 01-002004 01-002004 11-00	gone. When she returned — I can't everemember what it was that she said. We returned we met and I went over some that I was going to be instituting in her keeping me abreast of what was going a Because she was gone for so long, I had basically do the job. And she made a collection with that I criticized her for the way she standing at line up because black people that way. Q. That was the nature of her complaint? A. Yeah. Q. That was as far as you know the entirety of her complaint? A. Yeah. Q. What happened in connection with that complaint?	n Then she changes on. I to mment to was a stand
10000000 4 10000000 10 1000000 10 1000000 10 1000000	A. It is one of the things we decided to do is we put money in the budget so we could get case managers to get to go on conferences so they would feel more fulfilled and rewarded. That was one of the things we did that year. Q. Did anyone ever advise you in words or substance that the staff was communicating their concerns about you — A. No. Q. — to anyone? A. No. Q. You are considered a manager as a director, is that right? A. Right. Q. Have you had any discrimination complaints brought by any employees in your department apart from Ms. Newmark? A. Yes.	21-22-22-24 21-22-22-22-22 21-22-22-22-22 21-22-22-22 21-22-22-22 21-22-22-22 21-22-22-22 21-22-22-22 21-22-22-22 21-22-22-22 21-22-22-22 21-22-22-22 21-22-22-22 21-22-22-22 21-22-22-22 21-22-22-22 21-22-22-22 21-	gone. When she returned — I can't ever remember what it was that she said. We returned we met and I went over some that I was going to be instituting in her keeping me abreast of what was going a Because she was gone for so long, I had basically do the job. And she made a confirmation of the way she standing at line up because black people that way. Q. That was the nature of her complaint? A. Yeah. Q. That was as far as you know the entirety of her complaint? A. Yeah. Q. What happened in connection with that complaint? A. It was found unfounded.	n Then she changes on. I to mment to was a stand
10000000 4 10000000 6 10000000 9 10000000 9 10000000 10000000 100000000	A. It is one of the things we decided to do is we put money in the budget so we could get case managers to get to go on conferences so they would feel more fulfilled and rewarded. That was one of the things we did that year. Q. Did anyone ever advise you in words or substance that the staff was communicating their concerns about you — A. No. Q. — to anyone? A. No. Q. You are considered a manager as a director, is that right? A. Right. Q. Have you had any discrimination complaints brought by any employees in your department apart from Ms. Newmark? A. Yes. Q. Which employees?	10000000000000000000000000000000000000	gone. When she returned — I can't ever remember what it was that she said. We returned we met and I went over some that I was going to be instituting in her keeping me abreast of what was going a Because she was gone for so long, I had basically do the job. And she made a cold HR that I criticized her for the way she standing at line up because black people that way. Q. That was the nature of her complaint? A. Yeah. Q. That was as far as you know the entirety of her complaint? A. Yeah. Q. What happened in connection with that complaint? A. It was found unfounded. Q. When you say it was found	n Then she changes on. I to mment to was a stand
литина 4 подина 5 ратина 6 подина 7 подина 10 подина 10 подина 12 подина 13 подина 15 подина 16 подина 16 подина 17 подина 18 подина 19 подина 20 подина 20 под	A. It is one of the things we decided to do is we put money in the budget so we could get case managers to get to go on conferences so they would feel more fulfilled and rewarded. That was one of the things we did that year. Q. Did anyone ever advise you in words or substance that the staff was communicating their concerns about you A. No. Q to anyone? A. No. Q. You are considered a manager as a director, is that right? A. Right. Q. Have you had any discrimination complaints brought by any employees in your department apart from Ms. Newmark? A. Yes. Q. Which employees? A. It wasn't a formal complaint.	01-022000 01-0220000 01-0220000 01-0220000 01-0220000 01-0220000 01-02200000 01-02200000 01-02200000 01-02200000 01-02200000000000 01-022000000000000000000000000000000000	gone. When she returned — I can't everemember what it was that she said. We returned we met and I went over some that I was going to be instituting in her keeping me abreast of what was going a Because she was gone for so long, I had basically do the job. And she made a color HR that I criticized her for the way she standing at line up because black people that way. Q. That was the nature of her complaint? A. Yeah. Q. That was as far as you know the entirety of her complaint? A. Yeah. Q. What happened in connection with that complaint? A. It was found unfounded. Q. When you say it was found unfounded, what do you mean by that?	n Then she changes on. I to mment to was a stand
10000000 4 10000000 10 10000000 10 10000000 10 1000000	A. It is one of the things we decided to do is we put money in the budget so we could get case managers to get to go on conferences so they would feel more fulfilled and rewarded. That was one of the things we did that year. Q. Did anyone ever advise you in words or substance that the staff was communicating their concerns about you — A. No. Q. — to anyone? A. No. Q. You are considered a manager as a director, is that right? A. Right. Q. Have you had any discrimination complaints brought by any employees in your department apart from Ms. Newmark? A. Yes. Q. Which employees? A. It wasn't a formal complaint. Q. It doesn't matter.	01-02-20-04 01-02-20-04 01-02-20-04 01-02-20-04 01-02-20-04 01-02-20-04 01-02-20-04 01-02-20-04 01-02-20-04 01-02-20-04 01-02-20-04 01-02-20-04 01-02-20-04 01-02-20-04 01-02-20-04 01-02-20-04 01-02-20-04 02-02-02-04 02-02-02-02-04 02-02-02-02-04 02-02-02-02-02 02-02-02-02-02 02-02-02-02 02-02-02-02 02-02-02-02 02-02-02-02 02-02-02-02 02-02-02-02 02-02-02-02 02-02-02-02 02-02-02-02 02-02-02-02 02-02-02-02 02-02-02-02 02-02-02-02 02-02-02-02 02-02-02-02 02-02-02-02 02-02-02	gone. When she returned — I can't everemember what it was that she said. We returned we met and I went over some that I was going to be instituting in her keeping me abreast of what was going a Because she was gone for so long, I had basically do the job. And she made a collection with that I criticized her for the way she standing at line up because black people that way. Q. That was the nature of her complaint? A. Yeah. Q. That was as far as you know the entirety of her complaint? A. Yeah. Q. What happened in connection with that complaint? A. It was found unfounded. Q. When you say it was found unfounded, what do you mean by that? A. Nothing went with it.	n Then she changes on. I to mment to was a stand
10000000 4	A. It is one of the things we decided to do is we put money in the budget so we could get case managers to get to go on conferences so they would feel more fulfilled and rewarded. That was one of the things we did that year. Q. Did anyone ever advise you in words or substance that the staff was communicating their concerns about you — A. No. Q. — to anyone? A. No. Q. You are considered a manager as a director, is that right? A. Right. Q. Have you had any discrimination complaints brought by any employees in your department apart from Ms. Newmark? A. Yes. Q. Which employees? A. It wasn't a formal complaint. Q. It doesn't matter.	01-022000 01-0220000 01-0220000 01-0220000 01-0220000 01-0220000 01-02200000 01-02200000 01-02200000 01-02200000 01-02200000000000 01-022000000000000000000000000000000000	gone. When she returned — I can't everemember what it was that she said. We returned we met and I went over some that I was going to be instituting in her keeping me abreast of what was going a Because she was gone for so long, I had basically do the job. And she made a color HR that I criticized her for the way she standing at line up because black people that way. Q. That was the nature of her complaint? A. Yeah. Q. That was as far as you know the entirety of her complaint? A. Yeah. Q. What happened in connection with that complaint? A. It was found unfounded. Q. When you say it was found unfounded, what do you mean by that?	hen she changes on. I to omment to was a stand

	Case 7:07-cv-02861-CS Dogumen	121-5		Filed 09/02/2008 Page 26 of 53
	1 Catherine Magone	ľ	1	Catherine Magone
1 47:33 9M	A. Well, there was no merit to it, so	D3:42:09494	. 2	A. I don't know what you mean.
1/61.27/PMC	3 nothing happened.	01-22/387-6	3	Q. Did Pat Orsaia ever state to you
	4 Q. When you say it was found	E1 40:409A	4	what Ms. Newmark accused was a sure of the
	unfounded, who determined it was unfounded?	di: diverbes	5	what Ms. Newmark accused you of was unfounded? A. Well, he said/she said isn't it?
7:41;42894	A. HR. But the decision was made to	1	2	
Latiaspia ;	7 have her report directly to the medical director	at sate at the sat	7	Q. I'm asking you a question.
4;45:0764	at that time.	91:43.52PM	' '	MR. KEIL: Listen. Could
1:41:47994	Q. Who in HR found that it was	#11035PW	8	you read the question back, please.
141200	and the state of t	01/01/56994	9	(Record read.)
1915FW 11		814809PM	10	A. No.
tatasa 12		.01 4422754	11	(Recess taken.)
4.	The same of the continuous and the till	ľ	12	(Plaintiff's Exhibit 23
	3 1001		13	4/12/05 Memo marked for identification, as
	A STEEL A STEEL A STEEL F	81572MM	14	of this date.)
перен 15		0152 28Pm	15	Q. I'm going to direct your attention
пжины 16	a. 50 /86 kilon whether Ms. Anderson	D195016M	16	to Plaintiff's Exhibit 23 for identification.
насная 17	was interviewed?	51:30:3i(PM	17	Do you recognize that document?
154225m 18	A. Yes.	D1:42:30FM	18	A. I do.
:i:ezei 19	Q. You were interviewed?	\$1,52:3m/m/		
пукаоты 20	A. Yes.	9152.08Mr		/ 1000g/m2c it to De:
1 21 21	Q. Was anyone else interviewed in	Distraction		and a state of the
_{повым} 22	connection with her complaint?	STREETS	_ •	,
пезям 23	A. No.			A. Social work coverage.
100mm 24	Q. So you don't know whether it was in	BTHE HEM		Q. It indicates here that there was
1-02m 25	fact unfounded, is that right, or whether HR	\$1.52.51PM		was there a time that Joanne Reed worked as a
		DIÁRMICINA A	25	social worker?
	COMPU-TRAN SHORTHAND REPORTING	<u> </u>	_	COMPU-TRAN SHORTHAND REPORTING
1	182	1		184
	Catherine Magone	1	1	Catherine Magone
tiennu Z	found, is that right?	01:20:50mmt	2	A. She was an agency social worker,
THE MARKET	MR. KEIL: Objection as to	01:0:40ma	3	yes.
1100004 4	form. Can you rephrase that, please?	01.52.00PM	4	Q. She was going to be covering 5N, 5S
налы 5	MS. NICAJ: Sure.	#14324gpig	5	and ER. And it indicates that I, meaning
1:400PM 6	Q. When you say it was found	91532000	6	Ms. Newmark, will be covering all of the other
1:0:40m 7	unfounded, what is the basis of your statement?	in spiritisma	7	floors and Joanne will help me if needed.
	 A. Well, I wasn't counseled for it. 	9152:11PM	8	Do you know which floors she was
1982 MERCHANI	So	in sample.	9.	referring to, Ms. Newmark?
1:424(PM) 10	Q. As a manager what is the process by	ersonnu 1	_	
19200mg 11	which employees can make a complaint of	11.23.20FH 1		
1400N 12	discrimination about a supervisor or fellow	0240200 T		north all the other floors, 3 north, 5 north
100м. 13	employee?	013120N 1		she said 5. 5 north, 5 south, ER. It would
14 masers 14	A. Whenever they have any concerns,	112244 1	_	be 3 north, 6 north, and what's left the
1:00mg 15	they can go to human resources with their	manage 1		ICU. I think that's it.
_{невере} 16	concerns. Specifically for discrimination, I do		-	Q. I'm sorry. Are you done with your
Harrim 17	not know.	indame 10		response?
18 18	Q. Have you been trained in connection	1000mm 1		A. Yes.
19	with that, how to handle discrimination			Q. Are there any changes or things you
10 marginal 20	complaints?	2120000 15	•	want to supplement to your previous testimony?
100mm 21	A. No, I have not.	изэни 20)	A. No.
22		отновы 21		MR. KEIL: Are we done?
	,	USANIA 22	2	MS. NICAJ: Yes.
is 23	found in connection with Ms. Newmark's complaint	01340mm 2 3	3	(Examination concluded at 2:55 p.m.)
	while she was an employee in the hospital of age	24	ļ	
. кізры 25	discrimination?	25	i	
//26/Jings	COMPU-TRAN SHORTHAND REPORTING			COMPU-TRAN SHORTHAND REPORTING
:/∡o/2008)	11;16:52 AM Page 181 to	184 of 18	9	46 of 63 sheets

	Case 7:07-cv-02861-CS	Dogument 21-	5	Filed 09/02/2008	Page 27 of 53	_
•	1	163	1 2			187
	STATE OF NEW YORK			Re: Newmark v. lawre	nce Hospital	
3	53.	}	3			
	COUNTY OF WESTCHESTER)		4	VI UCICLIONS WERE DOTAK	rections, additions on the transcript of the	
5			5	testimony which I gave matter, held on Februar	IN The above, englished	
6						
7	OF COLUCIATE MAGORE, THE WITH	222	6	PAGE(S) LINE(S)	SHOULD READ	
8	the target the total of the feetill of the	':of	7			
9	the bear of this personal to welfer Celt	ify	8			
10	to the contest transcript, subject	t i	9			
11	as and assessment of much a mount of the		3			
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13	647 16 7 -0-		17			
20	CATHERINE MAGONE		18			
4						
21			19			
	Subscribed and sworn to before me.		20		_	
22	this day of, 20		21			
]				
23			22		· 	
			23			
24		j	24			
25			25		<u> </u>	
	COMPU-TRAN SHORTHAND REPORTING		43	CATHED	INE MAGONE	
	THE PARTIES	400		COMPU-TRAN SH	ORTHAND REPORTING	
1		186	1		1	88
2	STATE OF NEW YORK)		2	INDEX		
3) ss		3	FW		
á	COUNTY OF WESTCHESTER)		4	<u>EXAMINATION</u>	<u>PAGE</u>	
5	or meatenesiek }	1	5	CATHERIUS		
6	 -		_	CATHERINE MAGONE EXAMINATION BY MS. R.	ICA1:	
7	I, Nina Purcell, Notary		6	,,,,,,	-	
	Public within and for the State of New		7	EXHIBITS		
8	York; do hereby certify:		8:		- .	
9				PLAINTIFF'S	<u>PAGE</u>	
10	That I reported the proceedings in the		9		1	
11	within entitled matter, and that the within		10	1 5-page Resume of Ca	role Newmark 37	
12	transcript is a true record of said		11	2 8/15/06 Memo 3 5-page Resume of Nic	82	
13	proceedings.			4 8/22/06 E-Mail	ole Serra 86 97	
14		1	12	5 9/29/06 Memo 6 10/4/06 Memo	121	
15	I further certify that I am not		13	7 10/5/06 Memo	122 128	
16	related to any of the parties to the action by	f	14	8 7/18/06 Memo 9 7/20/06 Memo	139	
	blood or marriage, and that I am In no way		15	10 7/20/06 Mema	139 139	
	Interested in the outcome of this matter.			11 5/11/06 Memo 12 4/17/06 Nomination	4.56	
19			16	AWAIG	FOR BIG Heart 151	
20	IM WATTALEGO WALLES		17	13 8/31/06 Memo 14 9/1/06 Memo	153 153	
	IN WITNESS WHEREOF, I have hereunt	•	18	15 9/7 Memo	1.53	
21	set my hand this 25th day of February, 2008.			16 9/12/06 Memo 17 10/5/06 Memo	153 160	
22		1	19	18 5/23/06 Memb	164	
			20	19 9/19/06 Meme 20 9-page Performance:	165 Evaluation 165	
23	NINA PURCELL,	1	21	- ∡↓ ∠4-page Human Reso	ource Policies and 167	
	NOTARY PUBLIC	1		22 6-page Management		
24			22	Appraisai		
		1	23	23 4/12/06 Meme	183	
25			24	(Continued nost ==	\	
		ľ		(Continued next pag	(e.)	
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sheet	S THE STAND REPORTING	<u>_</u>		COMPU-TRAN SHOR	THAND REPORTING	
		Page 105 to 100 -5:				

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EXHIBIT 25

	Case 7:07-cv-02861-CS Docum	ient 2 1-5	Filed 09/02/2008 Page 29 of 53
	1		3 1
1			•
2		1	2 FEDERAL STIPULATIONS
. _{Y-} 3	SOUTHERN DISTRICT OF NEW YORK	'	3
₩-	· · · · · · · · · · · · · · · · · · ·	'	4
3	CAROLE NEWMARK,	'	5
6	Plaintiff,	'	S IT IS HEREBY STIPULATED AND AGREED, by .
7	-against-	7	7 between the attorneys for the respective parties
8	LAWRENCE HOSPITAL CENTER,	1	B. herein, that the sealing and filing of the
9,	PAT ORSATA, individually & CATHY MAGONE, individually,	[9	within deposition be waived; that such
10		10	
11	ьх	1 11	
12		1 12	
13		13	
14:			Street Street Sciote Wildin 2010
15	March 3, 2008 10:00 a.m.	14	(
16	·	15	
17		16	j
1.8	Examination Sefore Trial of PAT ORSAIA, a	17	•
19	••	18	IT IS FURTHER STIPULATED AND AGREED, th
Ż0-		19	
21		20	
22		21	·
23		22	
24		ľ	
25	Lisa Regen,	23	
7.7	Court Reporter	24	
	COMPU-TRAN SHORTHAND REPORTING	25	
7.	<u> </u>		COMPU-TRAN SHORTHAND REPORTING
1	2		4:
2	APPEARANCES:	1	
3		2	PAT ORSAIÄ,
	LOVETT & GOULD, ESQUIRES	3	having been duly sworn by Lisa Regen,
4	Attorneys for the Plaintiff	4	a Notary Public within and for the State
5	222 Bloomingdale Avenue White Plains, New York 10605	5	
_	BY: DRITA NICA), ESQUIRE	6	the state of the s
6.		1	as follows:
7		7	
	(80/11478 - 815)	8	000
8	COLLAZO, CARLING & MISH, LLP Attorneys for the Defendants	9	
9	747 Third Avenue	19.973dus 10	EXAMINATION BY MS. NICAL:
10	New York, New York 10017	10:02:30/mg 11	Q. Good morning, Ms. Orsala. My name
,,,	BY: JOHN P. KEIL, ESQUIRE	10.070mm 12	
11		13 instrument	this action, Carole Newmark. I will be asking
12		10.07.0556 14	
	ALSO PRESENT:	1	you a series of questions today. I'm looking for
13	CARSIE MENINAS	120753AM 15	trüthful and responsive answers. Okay?
14	CAROLE NEW MARK	1607акы 16	A. Uh-kuh.
		19,07,200м 17	Q. Is that a yes?
15		заетнікам 18	A. Yes,
16		10,97.27АН. 19	Q. If there is anything that you don't
17		100738АН 20	understand, haven't heard the question, or want
18 19		1027-1136 21	the question read back, let me know. Okay?
19 20		10-31-14-AM 22	A. I will.
21 22		1037 NAM 23	
23		1	The state of the s
		10:07:44 24	down "uh-huhs." All your responses need to be
24			AND THE STATE OF T
	COMPU-TRAN SHORTHAND REPORTING		verbal. That is, yes or no if applicable, or COMPU-TRAN SHORTHAND REPORTING

	Case 7:07-cv-02861-CS -Document	21-5 —	- Filed 09/02/2008 Page 30 of 53
1		╽,	7 1 Pat Orsaia
,10:07:5+A)u d	2 just full responses. Okay?	10:00:10M4 A	Q. Do you work in any other offices for
1007.56464	3 A. Yes.	10:10:12/04	3 Meridian?
10. 4	Q. She also can't take nods of the head	10:10:1gas 4	
16: Š	5 down. Okay?	10:10:14AA	_
10.00.00AM (A. I understand.	10.1D184M 6	_
терентин 7	Q. If at any time you want to take a	10121kg/ 7	
reniemonia 8		10.50:5844 8	
1035,0744 9		10:10:1MM S	A. That is where my office is located,
10.0011Am 10		10:10:10 10	
360013Air 11		10:70;74AH 11	
_{пожлум} 12		10-10-14-м 12	
10.06.17AM 13	_	10:10:20Ам 13	_
10:00:17AM 14	Q. If at any time you want to add,	52.Kemay 14	
10m 1844 15		10:10:224M 15	
12.00.22AM 16		19:1024m 16	and a manage bicatoma to my cuttent
10:00:24.44 17	opportunity to do that. Okay?	10 16 27AM 17	
10ms25/e/ 18	· · · · · · · · · · · · · · · · · · ·	10 10 20 AM	
_{нежен} 19	Q. And if you have answered a question,	10:10:22Au 19	The time you coused working at
_{юмж} 20		10 1030M 20	- The state of the
1900 EM 21	Is that a fair assumption?	101030AM 20	
100EZM 22	A. Yes. If I have not understood it,	10:10:444 22	in the state of th
10001:3FAD 23	I'll ask you to clarify for me.	10:10:00.00 2.2	•
_{полития} 24	Q. Okay. So, you have answered. Then,	10 10 50 W 2.3	A. I believe the date was January 12, 2007.
1000k47AN 25	, , , , , , , , , , , , , , , , , , , ,	I	
	COMPU-TRAN SHORTHAND REPORTING	10,104.04; 25	The first and for continuence chiptoyilleric at
	6	 -	COMPU-TRAN SHORTHAND REPORTING
1	Pat Orsaia	1	8
1000 com 2		,	Pat Orsaia
	right?	9	Lauranco?
1808mm 3	right? A. Yes.	121131AM 2	Lawrence?
1808:www 3	A. Yes.	эмпэни З	A. January 29th, 2007 I'm sorry
10556 (SAME) 4	A. Yes. MR. KEIL: Also, just wait	эвэээм 3	A. January 29th, 2007 I'm sorry commence employment at Lawrence?
1058-404	A. Yes. MR. KEIL: Also, just wait for Ms. Nicaj to finish her complete.	3011911AM 4 101111AM 5	A. January 29th, 2007 I'm sorry commence employment at Lawrence? Q. Yes.
1058-5044 4 1058-45-51 1058-45-44 6	A. Yes. MR. KEIL: Also, just wait for Ms. Nicaj to finish her complete question before you respond because the	201121144 4 10121144 5 10121446 6	A. January 29th, 2007 I'm sorry commence employment at Lawrence? Q. Yes. A. I believe the date was April 6,
1000-40-44 5 1000-40-44 6 1000-40-44 7	A. Yes. MR. KEIL: Also, just wait for Ms. Nicaj to finish her complete question before you respond because the court reporter can't take down two people	30113144 3 10111144 4 10111444 5 10111444 6	A. January 29th, 2007 I'm sorry commence employment at Lawrence? Q. Yes. A. I believe the date was April 6, 2002.
1008-0044 5 1008-0044 6 1008-0044 7 1008-0044 8	A. Yes. MR. KEIL: Also, just wait for Ms. Nicaj to finish her complete question before you respond because the court reporter can't take down two people talking at once.	2011/21/AM 3 10/12/11/AM 4 10/12/14/AM 5 10/11/AM 6 10/11/26/AM 7 10/11/26/AM 8	A. January 29th, 2007 I'm sorry commence employment at Lawrence? Q. Yes. A. I believe the date was April 6, 2002. Q. At the commencement of your
1008-0044 5 1008-0044 5 1008-0044 6 1008-0044 8	A. Yes. MR. KEIL: Also, just wait for Ms. Nicaj to finish her complete question before you respond because the court reporter can't take down two people talking at once. Q. When I'm talking and asking	2011/21/AM	A. January 29th, 2007 I'm sorry commence employment at Lawrence? Q. Yes. A. I believe the date was April 6, 2002. Q. At the commencement of your employment at Lawrence, what was your position
1008-04-04 5 1008-04-04 5 1008-04-04 6 1008-04-04 8 1008-04-04 9	A. Yes. MR. KEIL: Also, just wait for Ms. Nicaj to finish her complete question before you respond because the court reporter can't take down two people talking at once. Q. When I'm talking and asking questions, there is a fair chance you may know	2011/21/AM 3 4012/11/AM 4 10/12/4/AM 5 10/12/4/AM 7 10/12/4/AM 8 10/12/2/AM 9 10/12/4/AM 10	A. January 29th, 2007 I'm sorry commence employment at Lawrence? Q. Yes. A. I believe the date was April 6, 2002. Q. At the commencement of your employment at Lawrence, what was your position there?
1058-5044 4 1058-5044 5 1058-5044 6 1058-5044 7 1058-5044 9 1058-5044 9 1058-5044 10	A. Yes. MR. KEIL: Also, just wait for Ms. Nicaj to finish her complete question before you respond because the court reporter can't take down two people talking at once. Q. When I'm talking and asking questions, there is a fair chance you may know what I'm about to ask you, but I may go to a	2011/21/AM 3 10/11/11/AM 4 10/11/14/AM 5 10/11/21/AM 6 10/11/21/AM 8 10/11/21/AM 9 10/11/21/AM 10 10/11/21/AM 10	A. January 29th, 2007 I'm sorry commence employment at Lawrence? Q. Yes. A. I believe the date was April 6, 2002. Q. At the commencement of your employment at Lawrence, what was your position there? A. My title when I began employment at
1008-004 4 1008-004 5 1008-004 6 1008-004 9 1008-004 10 1008-004 11 1008-004 12	A. Yes. MR. KEIL: Also, just wait for Ms. Nicaj to finish her complete question before you respond because the court reporter can't take down two people talking at once. Q. When I'm talking and asking questions, there is a fair chance you may know what I'm about to ask you, but I may go to a different area. So, also wait for my question on	20011211AM	A. January 29th, 2007 I'm sorry commence employment at Lawrence? Q. Yes. A. I believe the date was April 6, 2002. Q. At the commencement of your employment at Lawrence, what was your position there? A. My title when I began employment at Lawrence was manager, human resources
1008-004 4 1008-004 5 1008-004 6 7 1008-004 9 1008-004 10 1008-004 11 1008-004 11	A. Yes. MR. KEIL: Also, just wait for Ms. Nicaj to finish her complete question before you respond because the court reporter can't take down two people talking at once. Q. When I'm talking and asking questions, there is a fair chance you may know what I'm about to ask you, but I may go to a	20011211AM	A. January 29th, 2007 I'm sorry commence employment at Lawrence? Q. Yes. A. I believe the date was April 6, 2002. Q. At the commencement of your employment at Lawrence, what was your position there? A. My title when I began employment at Lawrence was manager, human resources development.
1000-0044 5 1000-0044 6 1000-0044 6 1000-0044 9 1000-0044 11 1000-0044 12 1000-0044 13 1000-0044 14	A. Yes. MR. KEIL: Also, just wait for Ms. Nicaj to finish her complete question before you respond because the court reporter can't take down two people talking at once. Q. When I'm talking and asking questions, there is a fair chance you may know what I'm about to ask you, but I may go to a different area. So, also wait for my question on that basis, too. Okay? A. Yes.	20011217AM 3 1011211AM 4 102121AM 5 102121AM 6 102122AM 8 102122AM 9 102122AM 10 102123AM 11 102123AM 11 102123AM 12 102123AM 12	A. January 29th, 2007 I'm sorry commence employment at Lawrence? Q. Yes. A. I believe the date was April 6, 2002. Q. At the commencement of your employment at Lawrence, what was your position there? A. My title when I began employment at Lawrence was manager, human resources development. Q. Was there a change in title, or what
1008-0044 5 1008-0044 6 1008-0044 6 1008-0044 9 1008-0044 11 1008-0044 12 1008-0044 13 1008-0044 14	A. Yes. MR. KEIL: Also, just wait for Ms. Nicaj to finish her complete question before you respond because the court reporter can't take down two people talking at once. Q. When I'm talking and asking questions, there is a fair chance you may know what I'm about to ask you, but I may go to a different area. So, also wait for my question on that basis, too. Okay? A. Yes. Q. Are you employed?	20011217AM 3 1011117AM 4 1011117AM 5 1011121AM 6 1011121AM 7 101122AM 9 101123AM 10 101123AM 11 101123AM 12 101123AM 12 101123AM 12 101123AM 14 101123AM 14	A. January 29th, 2007 I'm sorry commence employment at Lawrence? Q. Yes. A. I believe the date was April 6, 2002. Q. At the commencement of your employment at Lawrence, what was your position there? A. My title when I began employment at Lawrence was manager, human resources development. Q. Was there a change in title, or what were the circumstances in which you went from
1008-004 4 1008-004 5 6 7 1008-004 10 1008-004 10 1008-004 10 1008-004 11 1008	A. Yes. MR. KEIL: Also, just wait for Ms. Nicaj to finish her complete question before you respond because the court reporter can't take down two people talking at once. Q. When I'm talking and asking questions, there is a fair chance you may know what I'm about to ask you, but I may go to a different area. So, also wait for my question on that basis, too. Okay? A. Yes. Q. Are you employed? A. Yes, I am.	20011211AM 3 101111AM 4 101111AM 5 1011121AM 6 1011121AM 7 101121AM 9 101122AM 10 101122AM 11 101122AM 12 101122AM 13 101122AM 14 101122AM 14	A. January 29th, 2007 I'm sorry commence employment at Lawrence? Q. Yes. A. I believe the date was April 6, 2002. Q. At the commencement of your employment at Lawrence, what was your position there? A. My title when I began employment at Lawrence was manager, human resources development. Q. Was there a change in title, or what were the circumstances in which you went from being manager of HR development, to director of
1000-0044 5 1000-0044 6 1000-0044 6 1000-0044 9 1000-0044 10 1000-0044 11 1000-0044 11 1000-0044 11 1000-0044 11 1000-0044 11 1000-0044 11 1000-0044 11 1000-0044 11 1000-0044 11	A. Yes. MR. KEIL: Also, just wait for Ms. Nicaj to finish her complete question before you respond because the court reporter can't take down two people talking at once. Q. When I'm talking and asking questions, there is a fair chance you may know what I'm about to ask you, but I may go to a different area. So, also wait for my question on that basis, too. Okay? A. Yes. Q. Are you employed? A. Yes, I am. Q. By whom?	20011211AM 3 1011211AM 4 102121AM 5 102121AM 6 102122AM 9 102122AM 10 102123AM 11 102123AM 11 102123AM 12 102123AM 14 102123AM 15 102123AM 15 102123AM 16 102123AM 17	A. January 29th, 2007 I'm sorry commence employment at Lawrence? Q. Yes. A. I believe the date was April 6, 2002. Q. At the commencement of your employment at Lawrence, what was your position there? A. My title when I began employment at Lawrence was manager, human resources development. Q. Was there a change in title, or what were the circumstances in which you went from being manager of HR development, to director of HR?
10588-0048	A. Yes. MR. KEIL: Also, just wait for Ms. Nicaj to finish her complete question before you respond because the court reporter can't take down two people talking at once. Q. When I'm talking and asking questions, there is a fair chance you may know what I'm about to ask you, but I may go to a different area. So, also wait for my question on that basis, too. Okay? A. Yes. Q. Are you employed? A. Yes, I am. Q. By whom? A. Meridian Healthcare.	20011211AM 3 1011211AM 4 101121AM 5 101121AM 6 101121AM 7 101121AM 10 101121AM 10 101121AM 11 101121AM 12 101121AM 14 101121AM 15 101121AM 16 101120AM 17 101120AM 17 101120AM 17	A. January 29th, 2007 I'm sorry commence employment at Lawrence? Q. Yes. A. I believe the date was April 6, 2002. Q. At the commencement of your employment at Lawrence, what was your position there? A. My title when I began employment at Lawrence was manager, human resources development. Q. Was there a change in title, or what were the circumstances in which you went from being manager of HR development, to director of HR? A. I was promoted to director of human
1058-дала 4 1058-дала 5 1058-дала 6 1058-дала 7 1058-3544 8 1058-3544 10 1058-3544 12 1058-3544 12 1058-3544 13 1058-3544 15 1058-3544 16 1058-3544 16 1058-3544 17 1058-3544 17	A. Yes. MR. KEIL: Also, just wait for Ms. Nicaj to finish her complete question before you respond because the court reporter can't take down two people talking at once. Q. When I'm talking and asking questions, there is a fair chance you may know what I'm about to ask you, but I may go to a different area. So, also wait for my question on that basis, too. Okay? A. Yes. Q. Are you employed? A. Yes, I am. Q. By whom? A. Meridian Healthcare. Q. And in what capacity?	20011211AM 3 101111AM 4 101111AM 5 101111AM 6 101112AM 6 10112AM 9 10112AM 10 10112AM 12 10112AM 12 10112AM 14 10112AM 15 10112AM 15 10112AM 15 10112AM 15 10112AM 16 10112AM 17	A. January 29th, 2007 I'm sorry commence employment at Lawrence? Q. Yes. A. I believe the date was April 6, 2002. Q. At the commencement of your employment at Lawrence, what was your position there? A. My title when I began employment at Lawrence was manager, human resources development. Q. Was there a change in title, or what were the circumstances in which you went from being manager of HR development, to director of HR? A. I was promoted to director of human resources.
1008-0044 4 1008-0044 6 1008-0044 9 1008-0044 10 1008-0044 11 1008-004	A. Yes. MR. KEIL: Also, just wait for Ms. Nicaj to finish her complete question before you respond because the court reporter can't take down two people talking at once. Q. When I'm talking and asking questions, there is a fair chance you may know what I'm about to ask you, but I may go to a different area. So, also wait for my question on that basis, too. Okay? A. Yes. Q. Are you employed? A. Yes, I am. Q. By whom? A. Meridian Healthcare. Q. And in what capacity? A. Site manager, human resources.	20011211AM 3 1011211AM 4 102121AM 5 102121AM 6 102122AM 9 102122AM 9 102122AM 10 102122AM 11 102122AM 12 10212AM 12 10212AM 13 10212AM 14 10212AM 15 10212AM 16 1022AM 17 1022AM 18 1022AM 19 1022AM 19	A. January 29th, 2007 I'm sorry commence employment at Lawrence? Q. Yes. A. I believe the date was April 6, 2002. Q. At the commencement of your employment at Lawrence, what was your position there? A. My title when I began employment at Lawrence was manager, human resources development. Q. Was there a change in title, or what were the circumstances in which you went from being manager of HR development, to director of HR? A. I was promoted to director of human resources. Q. When were you promoted?
1008-0044 4 1008-0044 6 1008-0044 9 1008-0044 10 1008-0044 11 1008-004	A. Yes. MR. KEIL: Also, just wait for Ms. Nicaj to finish her complete question before you respond because the court reporter can't take down two people talking at once. Q. When I'm talking and asking questions, there is a fair chance you may know what I'm about to ask you, but I may go to a different area. So, also wait for my question on that basis, too. Okay? A. Yes. Q. Are you employed? A. Yes, I am. Q. By whom? A. Meridian Healthcare. Q. And in what capacity? A. Site manager, human resources. Q. Where do you work?	20011211AM 3 1011211AM 4 101121AM 5 101121AM 6 101121AM 7 101121AM 9 101121AM 10 101121AM 12 101121AM 12 101121AM 15 101121AM 15 101121AM 16 101121AM 17 101121AM 18 101121AM 18 101121AM 18 101121AM 18 101121AM 18 101121AM 18	A. January 29th, 2007 I'm sorry commence employment at Lawrence? Q. Yes. A. I believe the date was April 6, 2002. Q. At the commencement of your employment at Lawrence, what was your position there? A. My title when I began employment at Lawrence was manager, human resources development. Q. Was there a change in title, or what were the circumstances in which you went from being manager of HR development, to director of HR? A. I was promoted to director of human resources. Q. When were you promoted? A. I don't recall the exact date. As
1008-мам 4 1008-мам 6 1008-мам 9 9 1008-мам 10 1008-мам 11 1008-мам 12 11 1008-мам 12 12 11 1008-мам 11 15 1608-мам 11 15 1608-мам 11 16	A. Yes. MR. KEIL: Also, just wait for Ms. Nicaj to finish her complete question before you respond because the court reporter can't take down two people talking at once. Q. When I'm talking and asking questions, there is a fair chance you may know what I'm about to ask you, but I may go to a different area. So, also wait for my question on that basis, too. Okay? A. Yes. Q. Are you employed? A. Yes, I am. Q. By whom? A. Meridian Healthcare. Q. And in what capacity? A. Site manager, human resources. Q. Where do you work? A. You're asking me the address?	20011211AM 3 101111AM 4 101111AM 5 101111AM 6 101112AM 6 101123AM 9 101123AM 10 101123AM 11 101123AM 12 101123AM 15 10113AM 15 10113AM 15 10113AM 15 10113AM 16 10112AM 17 10113AM 17 10113	A. January 29th, 2007 — I'm sorry commence employment at Lawrence? Q. Yes. A. I believe the date was April 6, 2002. Q. At the commencement of your employment at Lawrence, what was your position there? A. My title when I began employment at Lawrence was manager, human resources development. Q. Was there a change in title, or what were the circumstances in which you went from being manager of HR development, to director of HR? A. I was promoted to director of human resources. Q. When were you promoted? A. I don't recall the exact date. As near as I can recall, it was approximately a year
1008-8044 5 1008-8044 6 1008-8044 7 1008-8044 10 1008-8044 10 1008-8044 10 1008-8044 11 1008-804	MR. KEIL: Also, just wait for Ms. Nicaj to finish her complete question before you respond because the court reporter can't take down two people talking at once. Q. When I'm talking and asking questions, there is a fair chance you may know what I'm about to ask you, but I may go to a different area. So, also wait for my question on that basis, too. Okay? A. Yes. Q. Are you employed? A. Yes, I am. Q. By whom? A. Meridian Healthcare. Q. And in what capacity? A. Site manager, human resources. Q. Where do you work? A. You're asking me the address? Q. Yes.	2001121444 3 101121444 5 101121444 6 101121444 6 101121444 9 10112144 10 10112144 11 10112144 12 10112144 14 10112144 15 10112144 16 1011214 16 1011214 17 1011214 18 1011214 18 1011214 18 1011214 18 1011214 18 1011214 18 1011214 18 1011214 18 1011214 18 1011214 18 1011214 20 1011214 21	A. January 29th, 2007 I'm sorry commence employment at Lawrence? Q. Yes. A. I believe the date was April 6, 2002. Q. At the commencement of your employment at Lawrence, what was your position there? A. My title when I began employment at Lawrence was manager, human resources development. Q. Was there a change in title, or what were the circumstances in which you went from being manager of HR development, to director of HR? A. I was promoted to director of human resources. Q. When were you promoted? A. I don't recall the exact date. As near as I can recall, it was approximately a year after I started employment at Lawrence.
1008-0044 5 1008-0044 6 1008-0044 9 1008-0044 10 1008-0044 11 1008-0044 12 1008-0044 13 1008-0044 14 1008-0044 15 1008-0044 15 1008-0044 17 1008-0044 18 1008-0044 19 1008-0044 19 1008-0044 19 1008-0044 19 1008-0044 19 1008-0044 19 1008-0044 19 1008-0044 19 1008-0044 20 1008-0044 21 1008-0044 24	MR. KEIL: Also, just wait for Ms. Nicaj to finish her complete question before you respond because the court reporter can't take down two people talking at once. Q. When I'm talking and asking questions, there is a fair chance you may know what I'm about to ask you, but I may go to a different area. So, also wait for my question on that basis, too. Okay? A. Yes. Q. Are you employed? A. Yes, I am. Q. By whom? A. Meridian Healthcare. Q. And in what capacity? A. Site manager, human resources. Q. Where do you work? A. You're asking me the address? Q. Yes. A. The address is 1430 Route 34,	20011217AM 3 1011217AM 4 1011217AM 6 1011217AM 6 1011217AM 9 101127AM 10 101127AM 11 101127AM 12 101127AM 15 101127AM 15 101127AM 16 101127AM 17 101127AM 18 101127AM 20 101127AM 21 101127AM 21 101127AM 22 101127AM 22	A. January 29th, 2007 — I'm sorry commence employment at Lawrence? Q. Yes. A. I believe the date was April 6, 2002. Q. At the commencement of your employment at Lawrence, what was your position there? A. My title when I began employment at Lawrence was manager, human resources development. Q. Was there a change in title, or what were the circumstances in which you went from being manager of HR development, to director of HR? A. I was promoted to director of human resources. Q. When were you promoted? A. I don't recall the exact date. As near as I can recall, it was approximately a year after I started employment at Lawrence. Q. Did anyone previously occupy the
1058-5044 4 1058-5044 5 1058-5044 6 1058-5044 9 1058-5044 10 1058-5044 12 1058-5044 13 1058-5044 15 1058-5044 15 1058-5044 15 1058-5044 15 1058-5044 15 1058-5044 15 1058-5044 15 1058-5044 15 1058-5044 15 1058-5044 15	A. Yes. MR. KEIL: Also, just wait for Ms. Nicaj to finish her complete question before you respond because the court reporter can't take down two people talking at once. Q. When I'm talking and asking questions, there is a fair chance you may know what I'm about to ask you, but I may go to a different area. So, also wait for my question on that basis, too. Okay? A. Yes. Q. Are you employed? A. Yes, I am. Q. By whom? A. Meridian Healthcare. Q. And in what capacity? A. Site manager, human resources. Q. Where do you work? A. You're asking me the address? Q. Yes. A. The address is 1430 Route 34, Neptune, New Jersey.	2001121444 3 101121444 5 101121444 6 101121444 6 101121444 9 10112144 10 10112144 11 10112144 12 10112144 14 10112144 15 10112144 16 1011214 16 1011214 17 1011214 18 1011214 18 1011214 18 1011214 18 1011214 18 1011214 18 1011214 18 1011214 18 1011214 18 1011214 18 1011214 20 1011214 21	A. January 29th, 2007 — I'm sorry commence employment at Lawrence? Q. Yes. A. I believe the date was April 6, 2002. Q. At the commencement of your employment at Lawrence, what was your position there? A. My title when I began employment at Lawrence was manager, human resources development. Q. Was there a change in title, or what were the circumstances in which you went from being manager of HR development, to director of HR? A. I was promoted to director of human resources. Q. When were you promoted? A. I don't recall the exact date. As near as I can recall, it was approximately a year after I started employment at Lawrence. Q. Did anyone previously occupy the director of HR position?
1000-0004 4 1000-0004 6 1000-0004 6 1000-0004 10 1000-0004 11 1000-000	MR. KEIL: Also, just wait for Ms. Nicaj to finish her complete question before you respond because the court reporter can't take down two people talking at once. Q. When I'm talking and asking questions, there is a fair chance you may know what I'm about to ask you, but I may go to a different area. So, also wait for my question on that basis, too. Okay? A. Yes. Q. Are you employed? A. Yes, I am. Q. By whom? A. Meridian Healthcare. Q. And in what capacity? A. Site manager, human resources. Q. Where do you work? A. You're asking me the address? Q. Yes. A. The address is 1430 Route 34,	20011211AM 3 1011211AM 4 101121AM 5 101121AM 6 101121AM 7 101121AM 9 101123AM 10 101123AM 12 101123AM 14 10113AM 15 101123AM 15 101123AM 16 101123AM 17 101123AM 17 101123AM 17 101123AM 18 101223AM 18 101223AM 20 101223AM 21 101223AM 21	A. January 29th, 2007 I'm sorry commence employment at Lawrence? Q. Yes. A. I believe the date was April 6, 2002. Q. At the commencement of your employment at Lawrence, what was your position there? A. My title when I began employment at Lawrence was manager, human resources development. Q. Was there a change in title, or what were the circumstances in which you went from being manager of HR development, to director of HR? A. I was promoted to director of human resources. Q. When were you promoted? A. I don't recall the exact date. As near as I can recall, it was approximately a year after I started employment at Lawrence. Q. Did anyone previously occupy the

	Case 7.07-cv-02861-CS - Document-	21-5	Filed 09/02/2008 - Page-31 of 53
1	Pat Orsaia	1 1	Pat Orsaia
1942.37AM 2	A. No. I believe it was a newly	10:15:25AM 2	. at Older
10-12:31AM 3	created level in the human resources department	10-10-52AM 3	
10- 4	at Lawrence at that time.	1011634да 4	I welcomed her. That was really it,
₁₀ 5	Q. Do you know who created the	10.1503844 5	·
10:12:47AH 6	position?	18:15:32AM 6	-
10 12 41 AM	A. The vice-president of human resources.	10:16:14W 7	
10:12:40M B	Q. That person is who or was, at	10:15:4EAL B	
10:12:5244 9	that time?	10:15:50AL 9	-
10:12:53;UC: 10	A. The person at that time, was Deborah	10:15:00 M	A. Janice was one of two people
12:22 11	Gogliettino.	10:16:08M 11	employed in the I'm trying to remember the
10.13.36AH 12	Q. What were the circumstances in which	10:10:13A4 12	
13 to 13	you ceased employment at Lawrence?	12 No. 22 Day 13	•
топальна 14	A. I resigned my position at Lawrence	10:H29Au 14	•
10:10:1244 15	Hospital Center, because I was relocating with my	15 te 10 30 Au	
10:132149 16	husband to go out of state.	10:10:30m 16	
12 12 3444 17	Q. Do you know someone by the name of	30:10:30Au 17	excellence.
18 institution	Carole Newmark?	18:17:18AH: 18	Q. At the time of Ms: Newmark's hire,
10,510 мил 19	A. Yes.	1017218AN 19	who was her supervisor, if you know?
16:13:May 20	Q. How do you know Ms. Newmark?	10:17:18M 20	A. Who was Ms. Newmark's supervisor?
1013-000 21	A. Ms. Newmark was employed at Lawrence	10:17:16694 21	Q. Yes.
1000 team 22	Hospital Center during my tenure there.	121711W 22	A. The director of the department was
18.50mm 23	Q. Do you know whether Ms. Newmark had	10117:5044 23	Cathy Magone.
10740494 24	been employed by Lawrence Hospital previous to	1837584 24	Q. And the department which Ms. Newmark
10 14 Sect 25	your tenure at some point or another?	10-17-16-W 25	was hired to, was what?
	COMPU-TRAN SHORTHAND REPORTING		COMPU-TRAN SHORTHAND REPORTING
	10		12
1	Pat Orsaia	1	Pat Orsaia
19/34 374M 2	A. I don't know for sure, but I do	10:17:15Ap 2	A. Case management and social work.
10 14:37AM 3	recall some conversation I believe that	10:17284м З	Q. Was Ms. Magone already hired when
10:1427AH 4	Ms. Newmark told me, herself, that she had been	10/17/2004/4 4	you started your employment at Lawrence?
10 1437AH 5	employed at Lawrence previous to the time when we	10:17:32vi 5	A. Yes.
18:4C37A44 6	were employed there together.	1017500.441 6	Q. Prior to your deposition here today,
10:1637AH 7	Q. Do you recall when Ms. Newmark told	10:17:38Am 7	did you review any documents in connection with
_{потийлод} 8	you?	19:17:12M 8	preparing for your deposition?
1004 dóni a	 I believe she told me the first time 	9 بينف:1101	A. Yes.
точний 10	we met, which was, I believe, after she had	метины 10	Q. What documents?
1000.00м 11	accepted the offer of employment and before she	10:17:46AH 11	A. I reviewed the probationary
10-14-53AM 12	actually started work. I recall that we were	10:17:51AM 12	performance evaluation that was issued to
клеяна 13	introduced in the waiting area of the human	1612.bum 13	Ms. Newmark. I reviewed a piece of correspondence,
10150044 14	resources office.	16:1e12/4 14.	which was the termination letter that I had sent
новым 15	Q. Do you recall what words, in	10:1кораже 15	to Ms. Newmark. I reviewed some e-mails that had
10.71корице 16	substance, she said?	менежми 16	either been sent to me directly, or I had been
மண்ண் 17	A. I'm sorry; I didn't hear the	100,4249М 17	copied on.
10.15:1940 18	question.	18 wheeles	Q. Anything else?
10 sk.ipay 19	Q. What, in words or substance, did she		A. Not that I recall.
ър. та; пр. т.	say to you at that time?	15.14.37AM 20	Q. Did you meet with anyone, or discuss
ions:::iii 21	A. We were introduced. We were	1011-0Au 21	with anyone your deposition, before you came here
. 22	introduced actually by Ms. Newmark's daughter,	10:10:55 22	today?
1015'Head 23	who was also employed at Lawrence Hospital	10th/mma 23	A. Yes.
10:19.22Aia 24	Center.	10:10:3444	Q. With whom?
10-15-23AM 25	We were introduced. I was told	10.10;41.44 25	A. John Keil.
	COMPU-TRAN SHORTHAND REPORTING		COMPU-TRAN SHORTHAND REPORTING

	Case 7:	07-cv-02861-CS Doçument	21-5	Filed 09	/02/2008	Page 32 of 53
1		ાડ Pat Orsaia		1	D-	15
9		s by telephone or at a				t Orsala
-	·	s by telephone of at a	1	2 A. 3 Q.		the question.
_	meeting?	nhana	1	_		ated previously that the
» 4	•	phone.				as with reference to your
14. D	Q. When?		.,			ent at Lawrence; right?
1dHedden 6		prior to the original date of	10/21/199464	6 A.		and a section of the
10:11:00		ne original date, I believe,	10:2155AM	7 Q.		the second communication
10:19:05Ak 8	_	i, and I spoke with John the day	1 '	8 with Ms. !	*	
являны <u>.</u> 9	prior to that.	on did on a new location of the second		9 A.		and communication was with
10:10:12AH 10	_	ng did you speak to Mr. Keil?	1022201AM 1	•		t was after her deposition in
10 99:17AAC TT		where between 60 and 90 minutes.	10220741 1	- ••		
12 12 12 12 12 12 12 12 12 12 12 12 12 1	•	om your communication with	1022:19/м 1	_		o you recall what date that
10:16:27AM 13	•	amunicate with anyone else in	rezaw 1			
10:30:30vii 14	connection with your	deposition here?	1422-24AL 1			ecall the exact date.
15	A. No.		10-22-27AH 1		-	words or substance, did she
16 AT	-	ou communicated with	10222544 1			
(Girina 17	- · -	to the claims in this?	101131AP 1			ance, she said that she had
10:11:50 18		MR. KEIL: At any time or	1022:35444 1			sition. She had an awareness
##### 19	_	MS. NICAJ: At any time.	1023:44M 1	_		uled. There wasn't much more
1028000 20	_	s I would need some	10-22:SHAM 2		e to the con	
10,20жм 21		question; because when you	10:23:01AM 2		- · · · · ·	was your communication with
10.20x07AN 22		es that include the complaint	10,236344 2.	_	ne?	
10201494 23	to the EEOC prior t		102i07# 2			g was the telephone conversation?
1020017АН 24		okay. Have you spoken to	103335FFF 24	_		
102031AN Z5	-	u ceased your employment at	1025:11AA 2:	5 A.		utes, approximately.
	COMPU-	TRAN SHORTHAND REPORTING	-		COMPU-TR	AN SHORTHAND REPORTING
1	,	14 Pat Orsaia				16
2		-at Orsale	Ι.			t Orsaia
2	Lawrence? A. Yes.		1032(13)46			t ten-minute time, she
1030SRAI J	· · · · · · · · · ·	Talaslan salaaka	1025:10AM			d her deposition, and that
19:2029441 *		Relating to what?		_		our ten-minute
10.20.31/AM 5	-	with Cathy Magone the	(m/sasy)Api	_	ation with he	į
1929ЛАН Б	•	o her since my employment,	10/23-73-440	_	•	also talked about some
10:20:41AA		with a personal friend of	10:23:2740/			vho were still at Lawrence.
1020 max 9	-	atient at Lawrence Hospital d for her help to not help	10:23:36AM	_	•	them, how they were doing,
40		e her aware that I had a	1000 05/44			were at the hospital, et
4.4		o was a patient at Lawrence	тейзэлүн 10	_		pout family a little bit.
102101AM 17	- •	ne help from her area, from her	10,23941A4 1			you communicate with Miss
1021:00AM 12	department.	we neith it out their thest it old little	10,22,48AH 13			intented with who 7 this
1621:00M 14	_	om that communication, have	. م			unicated with whom? Who
1021114# 15	,	mmunications with Ms. Magone	14334m 14			and Cashan VI-S base
1021100 16		ployment at Lawrence?				ened Cathy; I left her a
10211IAN 17	A. Yes.	noyment at tawiences	19795UM 16			the telephoned me back.
3821 May 18		many occasions have you	1023.54AK 17		оо уол ге	call when you telephoned
1431.EW 19	communicated with N		102233444 18		T also ta	and the sun of the
1021.27A4 20			19 wastern 19	* **		ecali the exact date.
	•	left employment at Lawrence,	1924.00.00 26		-	ow whether it was, in fact,
1071,504 47 ?2	I can recall.	ed with Cathy Magone twice, that	10745EAR 21	• •		ition or the day of her
72		referencing your friend?	102+17/01 22		•	nmunicated with her?
1021344 23 1021344 24	A. Yes.	, referencing your friend?	1020:17AM 23			ot the day of her
102130N 25	_	second was what?	10243744 24			ometime after that.
	wa And the	SECOND MOS MHOT?	102410W 25	Q.	You indica	ted that you communicated
	COMBUT	RAN SHORTHAND REPORTING	1024-1041			AN SHORTHAND REPORTING

	Case 7:07-cv-02861-CS Document	21-5 -	Filed-09/02/2008 Page 33 of 53
	1 Pat Orsaia	Ι.	19
	with Mr. Keil the day before your deposition,		1 Pat Orsaia
	which was scheduled on February your	1027:214M	The say
10.7	originally scheduled deposition, which was on	1.	and the state of t
10 {	.	102730AH 4	my number, where I could be reached at work.
Moderator"	A. Yes.	1027:3TAM 6	and received my
10242494	Q. Do you recall whether Ms. Magone's	1027.01AM 7	voicemail message. She left me a message back. Said, hi; it was nice to hear from you. It would
1024 (040)	• •	102244AM 8	
INZERIAL S		1927 4000 9	
1024-анд 10	Cathy's deposition, no.	10227-14AM 10	
10/2449AW 11	Q. Do you know whether you communicated	1027:00m 11	
₁₀₂₄ 12		10275EM 12	The property of the billion of the b
100vastur 13	deposition?	1947/5494 13	
1025:dayy 14	A. The originally scheduled deposition?	102230AM 14	
1000 minus 15		1535.00 15	with the first transfer transfer transfer to the first transfer to the first transfer transfer to the first transfer tra
1029 MARIN 16	A. Yes.	1023:25mm 16	
10.25:03#M 17	Q. Did you or she speak about what it	1025.004 17	:
1829:14W 18		***** 18	
1025-18AW 19		1822-1644 19	The state of the s
10.2023444 20	Q. What did you speak about concerning	1028/20mg 20	
10752HM 21	her deposition?	1020крам 21	mine had been scheduled, see how she was,
1025 PAR 22	 She shared that it had been a long 	102120AU 22	
10252344 23	day, that her deposition had lasted severa!	1024244 23	Q. How did you know that she had her
10/28:2844 24	hours. It was tiring. I think she used the word	(62831AW 24	·
1020 Care 25	"tiring." She shared with me who had been	10.7131AV 25	A. I had an awareness of the dates from
~ —	COMPU-TRAN SHORTHAND REPORTING		COMPU-TRAN SHORTHAND REPORTING
	18		20
1	Pat Orsaia	1	Pat Orsaia
102554AH 2	present at the deposition. She said John was	103835AM 2	Mr. Keil.
15:23:84AA 3	there, Ms. Newmark, yourself. We may have talked	1025,5044 3	Q. Apart from Ms. Newmark, during the
302017AH 4		1127,54m 4	course of your employment at Lawrence, did anyone
100001FM 5	from New Jersey, and the location of your	10:29:жий 5	ever communicate any concern they had concerning
10361399W Q	offices, et cetera.	тольным 6	Cathy Magone?
1020-31AM 7	That's what I recall of our	10280044 7	A. In what regard?
мадан В	conversation.	10.29-10,4м В	Q. In any regard,
1028 3FAU 9	Q. Do you recall whether she told you	192827АН 9	A. I recall there was one individual, a
1020:13M 10	anything about the substance of any testimony she	1025-3EAN 10	case manager who came to see me after she had
11 massar 11	provided during her deposition?	10:20:35xu 11	been issued a formal corrective action by Cathy
12 435 wasay 13	A. No. Q. Are there any documents you can use	1023-0AL 12	Magone, and she came to see me in my capacity as
	,	10.25 m.w. 13	director of human resources, to I believe she
103433AH 14	to refresh your recollection? A. No.	1020-27.44 14	had the document with her, a copy of the document
1671:00w 16		10295474 15	with her. And she asked me to clarify for her,
47	Q. What was the purpose in your calling Ms. Magone?	10300004 16	just the nature of the corrective action. I
10.27:09.44 17 10.27:09.44 18	_	19200744 17	believe she wanted me to verify that it was done
1027/12/41 19	A. You're talking about the second time I called her?	teariim 18	as per policy, et cetera.
митом 20	Q. No. You indicated that you left her	1000,1044 19	Q. Who was this person?
1027-100 21	a voicemail and	20 سدده ۱۵۰	A. First name was Barbara. I don't
. 22	A. Yes.	10202001 21	recall her last name.
10251164 23	Q. What was the purpose of that	тарозімі 22 72	Q. At the time you ceased employment at
цатаца 24	telephone communication?	100003844 23	Lawrence, was Barbara still employed there, to
10272244 25	A. I believe I said in my message that	10.30.2044 24	your knowledge?
· - -	CÖMPU-TRAN SHORTHAND REPORTING	103036AM 25	A. Yes.
of 58 shee			COMPU-TRAN SHORTHAND REPORTING

		Case 7:07-cv-02861-CS Dogument	21-5		Filed 09/02/2008 Page 34 of 53
	4	21	7' 0		23
	1	Pat Orsaia	1	1	Pat Orsala
MP-2K-0C-01	2	Q. What was the nature of the corrective	1031: 17AL	2	specific to Cathy Magone that I had with
10:30.7KA		action?	10:34:21,64	- 3	Elizabeth was during this same conversation,
10.0	4	A. I believe it was for conduct that	10542244	4	where Elizabeth shared that she, Elizabeth, felt
11.	5	she had overheard in a verbal exchange that was	10/34/37/04	5	that the staffing complement in the social work
MASSINGER	-6	thought to be unacceptable in its content.	100-13244	6	department needed to be increased. And she
15/31 GTAU	,	Q. What was the verbal exchange?	10.34.37AA	7	referenced the fact that Cathy Magone was aware
10310644	8	A. I don't recall the details.	1834-14M	8	of this, and Elizabeth expressed her own concern
TRATITORNA	9	Q. What was the substance of the verbal	iacescei	9	that there didn't appear to be any additional
	10	exchange?	103454 3M	10	social work positions approved.
10,01;2000		A. I don't recall.	10.0000000	11	Q. Did Ms. Basil say anything, as well,
1001.25/68		Q. Apart from Barbara and Ms. Newmark,	10:55:28464	12	with respect to Cathy Magone, apart from what you
MARCHER!	13	were there any employees to your knowledge that	10:35:35AM	13	have already testified to?
1931,04444		ever came to you, or someone else in human		14	A. No.
TÜÜNDEÄL		resources, with respect to Cathy Newmark?	10:30:30AM	15	Q. Did you ever communicate
1051:4874		MR. KEIL: Objection. I	18.38:28 ₍₄₆₎	16	Ms. Basil's concerns to Cathy Magone?
10:31:4944	17	believe you mean Cathy Magone.	1035 29AH .	17	A. I believe I did tell Cathy Magone
19:31:40444	18	MS. NICAJ: I'm sorry;	19:36:32/04	18	that about Elizabeth's concern as to the
1031-5541	19	Cathy Magone.	10.38.34AA	19	staffing levels in the social work department.
1031 124		 A. I believe there were two questions 	1035,36AM	20	Q. And what, if anything, did Ms. Magone
10,31:57.64	21	there. I don't have any knowledge of anyone at	10:205:40April	21	say to you?
to.zestave	22	Lawrence going to anyone else in human resources,	· 10:36:52AM	22	A. I believe that when we discussed it,
10.22:04.04	23	with a concern about Cathy Magone. I do recall	10/05:SEAM	23	both of us being at the director level and having
10:32:1044	24	meeting with a social worker who had resigned,	10:38:01AN	24	responsibility for recommendations around
10:02:14:44	25	and I met with her, as was the practice, for what	10200 255,444	25	staffing in our departments, that Cathy
		COMPU-TRAN SHORTHAND REPORTING	ļ		COMPU-TRAN SHORTHAND REPORTING
		22			24
	1	Pat Orsaia		1	Pat Orsala
10-72-2444	2	we called an exit interview.	10:30:14AM	2	acknowledged that that may be a concern that
10.22:25.44	3	Q. And that social worker was, who?	10:36:25AH	3	Elizabeth had. However, we, as leaders at
10:32:61 (44)	4	A. First name was Elizabeth. Last name	10363546	4	Lawrence, had a budget that we had to manage to
MARCEE DK	5	was, I believe Basil, B-a-s-i-l-e. I may not be	10,36,35AM	5	and positions that were not approved.
10354444	6	spelling that correctly.	10:36 (1/44	6	Q. At the time of Elizabeth's exit
10/32:KB464	7	Q. What did Ms. Basil say with respect	100%:AÈM	7	interview, was Mrs. Newmark employed there?
103255AM	8	to Cathy Magone?	103 053 A#	8	A. I don't believe so; I can't say for
10.001.000AL	9	A. Elizabeth expressed concern that	10:30:87Asa	9	sure.
10:73:05AM 1	10	with her resignation and exit, and shortly before	18:36:58AN	10	Q. To your knowledge, did Denise
 313394 44 1	11	that, the exit of the supervisor of social work,	ipatalali	11	Galloway ever communicate with you, or anyone
10,3331,544 1	2	Denise Galloway, who actually had retired and was	ASSESSMENT .	12	else at HR, concerning Cathy Magone?
1932-20 00 1 1	[3	relocating to the Carolinas after many years with	1057:2344	13	A. Not that I recall.
103931AN 1	4	Lawrence, Elizabeth as I recall, felt that Denise	10:37:24AK	14	Q. Are there any documents you can use
103331AM 1	5	Galloway had been a mentor to her and that the	10.37:20/94	15	to refresh your recollection?
10333604 1	6	loss to Lawrence Hospital of Ms. Galloway was	10:37:37#4	16	A. No, not that I know of.
нажени 1	7	going to be substantial because of her years of	that may	17	Q. Did anyone else ever communicate
10.23 sizes 1	8	experience and her history, et cetera. And	1007:6ERG.	18	with you concerning Cathy Magone?
103338844 1	9	Elizabeth told me that Denise's decision to	10:27:55634	19	A. Not that I recall.
(63553AL 2	0	retire was, in part — was part of the reason	1037:50AN A	20	Q. Are there any documents that you can
10;33:MAM 2	1	that Elizabeth had decided to resign. And I	10:3E.SHUN		use to refresh your recollection?
2		can't recall if Elizabeth was had another job	10,3011AN A		A. Not that I know of.
1829, 2		to go to at that point or if her plan was to	10.24/22/24/ 2		Q. Did there come a time that Carole
1034500 2		resign and stay at home for a while.	10:36:35A) Z		Newmark communicated with you concerning Cathy
hosinsa 2		· · · · · · · · · · · · · · · · · ·	10:3629AL Z		Magone?
		COMPU-TRAN SHORTHAND REPORTING		-	COMPU-TRAN SHORTHAND REPORTING
		39:48:33 AM			

	Case 7:07-cv-02861-CS Docume	ent 21-5 Filed 09/02/2008 Page 35 of 53.
1	1 Pat Orsaia	27
nemente Z	2 A, Yes.	1 Pat Orsaia
10.58.40mm 3	Q. When was the first instance?	2 you, or someone else, what the nature of the
4	A. I believe it was late in the month	3 meeting was going to be?
5	of August of 2006.	A. I wasn't aware of the nature of what
16 J		5 she wanted to talk about until we actually met,
10.10.00 D		12.0231.44 6 the detail of it.
16:39:20,W /	A. I believe it was late in the month	7 Q. And when did you meet with
iamijani O	of August; because in my review of documents th	
1)рэгдэрүү 9	the appears to	The state of the s
103e3evi 10	the same time that same to meet	10 in the month of August of 2006.
10.35¢41AM TT	with me for the first time.	11 Q. Who else was present?
10:39:2044 12		1962-low 12 A. No one.
1130mm 13	A. E-mails.	13 Q. You believe this meeting was
10.30 гум. 14	The state of the s	scheduled in person by Ms. Newmark; is that
15 massius 15	- maxis from curole to mysen,	15 right?
10.00.02A <u>k</u> 16	the second county transported as stell.	16 A. Possibly.
10-интин 17	Q. Do you know how Ms. Newmark first	17 Q. But you're not certain?
10,4024AH 18	communicated her wish to meet with you? Was it	18 A. I'm not certain,
10-02544 19	in e-mail form or in person?	19 Q. How long was your meeting with
12433366 20	To the first meeting, coloid and	wasaa 20 Ms. Newmark?
18.40.жы 21	not ask via e-mail to meet with me. I believe	Massau 21 A. Our initial meeting was probably,
10 Attention 22	- who is a man property and taken	22 approximately, fifteen to twenty minutes.
1040-1504 23	and the second second and appointment	ent 23 Q. Did you take any notes?
10:00:51AM 24	for another time, or called me. But to the best	10415200i 24 A. I did not.
10.057H 25	of my recall, it seems to me I have a sense that	10. Is there a reason why not?
	COMPUTEDAN CHORTHAND DEDOCTIVE	the state of the s
	COMPU-TRAN SHORTHAND REPORTING	COMPU-TRAN SHORTHAND REPORTING
	25	COMPU-TRAN SHORTHAND REPORTING
- -		28
1	25	1 Pat Orsaia
1 10 10 10 10 10 10 10 10 10 10 10 10 10 1	26 Pat Orsaia	28 1 Pat Orsaia 1 Pat Orsaia 1 A. No particular reason.
*	25 Pat Orsaia she dropped by my office and said, I would like	28 1 Pat Orsaia 1 Pat Orsaia 1 A. No particular reason. 10 Catholic 3 Q. At that point, you were the director
10,4130,ppt 3	Pat Orsaia Pat Orsaia she dropped by my office and said, I would like to meet with you. I don't think the meeting took place immediately. I don't think either or both	1 Pat Orsaia 1 Pat Orsaia 1 Pat Orsaia 1 Pat Orsaia 2 A. No particular reason. 10 Carrier 3 Q. At that point, you were the director 10 Carrier 4 of HR; right?
10413644 3 10413644 4	26 Pat Orsaia she dropped by my office and said, I would like to meet with you. I don't think the meeting took	1 Pat Orsaia 10 Pat Orsaia
10412644 3 10412644 4	Pat Orsaia Pat Orsaia she dropped by my office and said, I would like to meet with you. I don't think the meeting took place immediately. I don't think either or both of us was available immediately; but soon after that, we set a time and we met.	1 Pat Orsaia 1 Pat Orsaia 10 Pat O
10412044 4 10410044 5 10411144 6	Pat Orsaia Pat Orsaia she dropped by my office and said, I would like to meet with you. I don't think the meeting took place immediately. I don't think either or both of us was available immediately; but soon after that, we set a time and we met.	1 Pat Orsaia 1 Pat Orsaia 1 Pat Orsaia 1 Pat Orsaia 2 A. No particular reason. 10 A that point, you were the director 10 A of HR; right? 10 A Correct, 10 A this meeting, what, in words or 10 A substance, did Ms. Newmark say?
10410000 3 10410000 5 10411000 6 10411000 7	Pat Orsaia she dropped by my office and said, I would like to meet with you. I don't think the meeting took place immediately. I don't think either or both of us was available immediately; but soon after that, we set a time and we met. Q. When did she approach you in person	Pat Orsaia Pat Orsaia A. No particular reason. At that point, you were the director A of HR; right? A Correct, A this meeting, what, in words or substance, did Ms. Newmark say? A At this meeting, Carole shared with
10410000 3 10410000 4 10410000 5 10411000 7 10411000 8	Pat Orsaia she dropped by my office and said, I would like to meet with you. I don't think the meeting took place immediately. I don't think either or both of us was available immediately; but soon after that, we set a time and we met. Q. When did she approach you in person and stop by your office to meet with you? A. I don't recall the exact date.	1 Pat Orsaia 1 Pat Orsaia 1 A. No particular reason. 10419000 4 of HR; right? A. Correct, 1041900 6 Q. At this meeting, what, in words or substance, did Ms. Newmark say? 1041900 8 A. At this meeting, Carole shared with meeting 9 me that she had met with Cathy Magone, and she
104130404 3 104100404 5 104111040 6 104111040 7 104111040 8 10412144 9	Pat Orsaia she dropped by my office and said, I would like to meet with you. I don't think the meeting took place immediately. I don't think either or both of us was available immediately; but soon after that, we set a time and we met. Q. When did she approach you in person and stop by your office to meet with you? A. I don't recall the exact date. Q. Were you there when she dropped by	1 Pat Orsaia 1 Pat Orsaia 1 Pat Orsaia A. No particular reason. Q. At that point, you were the director 10/12/04/4 of HR; right? A. Correct, Q. At this meeting, what, in words or 10/12/04/4 of HR; right? A. Correct, Q. At this meeting, what, in words or 10/12/04/4 of HR; right? A. At this meeting, Carole shared with 10/12/04/4 of HR; right? A. At this meeting, Carole shared with 10/12/04/4 of HR; right?
10413000 3 10410000 5 10411000 6 10411000 8 20413100 9 10413000 10	Pat Orsaia she dropped by my office and said, I would like to meet with you. I don't think the meeting took place immediately. I don't think either or both of us was available immediately; but soon after that, we set a time and we met. Q. When did she approach you in person and stop by your office to meet with you? A. I don't recall the exact date. Q. Were you there when she dropped by your office to schedule a meeting?	1 Pat Orsaia 1 Pat Orsaia A. No particular reason. Q. At that point, you were the director 10,43994 4 of HR; right? A. Correct, Q. At this meeting, what, in words or 11,43294 6 Q. At this meeting, what, in words or 11,43294 7 substance, did Ms. Newmark say? A. At this meeting, Carole shared with 10,0344 9 me that she had met with Cathy Magone, and she 12,0444 10 had been told by Cathy that another social 10,0444 11 worker, Nicole, had been selected to work on a
10413044 3 10413044 5 10413044 5 10413044 7 10413044 9 10413044 10 10413044 10	Pat Orsaia she dropped by my office and said, I would like to meet with you. I don't think the meeting took place immediately. I don't think either or both of us was available immediately; but soon after that, we set a time and we met. Q. When did she approach you in person and stop by your office to meet with you? A. I don't recall the exact date. Q. Were you there when she dropped by your office to schedule a meeting? A. I can't say for sure. It's possible	1 Pat Orsaia 1 Pat Orsaia A. No particular reason. Q. At that point, you were the director 1043004 4 of HR; right? A. Correct, Q. At this meeting, what, in words or 104304 7 substance, did Ms. Newmark say? A. At this meeting, Carole shared with 104304 9 me that she had met with Cathy Magone, and she 104304 10 worker, Nicole, had been selected to work on a 104404 12 particular project. Carole told me that she was
12412000 3 12012000 5 12412000 5 12412000 7 12412000 9 12412000 10 12412000 11	Pat Orsaia she dropped by my office and said, I would like to meet with you. I don't think the meeting took place immediately. I don't think either or both of us was available immediately; but soon after that, we set a time and we met. Q. When did she approach you in person and stop by your office to meet with you? A. I don't recall the exact date. Q. Were you there when she dropped by your office to schedule a meeting? A. I can't say for sure. It's possible that Carole stopped by — and it would not be	1 Pat Orsaia 1 Pat Orsaia A. No particular reason. Q. At that point, you were the director 10430000 4 of HR; right? A. Correct, Q. At this meeting, what, in words or 1043000 7 substance, did Ms. Newmark say? A. At this meeting, Carole shared with 1043000 9 me that she had met with Cathy Magone, and she 1043000 10 morker, Nicole, had been selected to work on a 1043000 12 particular project. Carole told me that she was 13 disappointed that Nicole had been assigned to
10413044 3 10413044 5 10413144 6 10413144 9 10413144 10 10413144 11 10413044 12 10413044 12	Pat Orsaia she dropped by my office and said, I would like to meet with you. I don't think the meeting took place immediately. I don't think either or both of us was available immediately; but soon after that, we set a time and we met. Q. When did she approach you in person and stop by your office to meet with you? A. I don't recall the exact date. Q. Were you there when she dropped by your office to schedule a meeting? A. I can't say for sure. It's possible that Carole stopped by — and it would not be unusual for any employee to stop by and set an	1 Pat Orsaia 1 Pat Orsaia A. No particular reason. Q. At that point, you were the director 10,430000 4 of HR; right? A. Correct, Q. At this meeting, what, in words or 11,432000 7 substance, did Ms. Newmark say? A. At this meeting, Carole shared with 10,43000 9 me that she had met with Cathy Magone, and she 11,432000 10 had been told by Cathy that another social 12,40000 11 worker, Nicole, had been selected to work on a 13,40000 12 particular project. Carole told me that she was 14 disappointed that Nicole had been assigned to 15,40000 14 this project because it was an area that she,
10412004 3 10412004 5 10412004 5 10412004 6 10412004 10 10412004 10 10412004 11 10412004 12 10412004 12	Pat Orsaia she dropped by my office and said, I would like to meet with you. I don't think the meeting took place immediately. I don't think either or both of us was available immediately; but soon after that, we set a time and we met. Q. When did she approach you in person and stop by your office to meet with you? A. I don't recall the exact date. Q. Were you there when she dropped by your office to schedule a meeting? A. I can't say for sure. It's possible that Carole stopped by — and it would not be unusual for any employee to stop by and set an appointment with me through someone else in my	1 Pat Orsaia 1 Pat Orsaia A. No particular reason. Q. At that point, you were the director 1041300000 4 of HR; right? A. Correct, Q. At this meeting, what, in words or 104130000 7 substance, did Ms. Newmark say? A. At this meeting, Carole shared with 10413000 9 me that she had met with Cathy Magone, and she 10413000 10 had been told by Cathy that another social 10413000 11 worker, Nicole, had been selected to work on a 1041300 12 particular project. Carole told me that she was 1041300 13 disappointed that Nicole had been assigned to 1041300 14 this project because it was an area that she, Carole, had an interest in; namely, palliative
10410000 3 10410000 5 10410000 5 1041000 7 1041000 9 1041000 10 1041000 11 1041000 12 1041000 13 1041000 13 1041000 14 1041000 14 1041000 15 10410000 15 1041000 15 1041000 15 1041000 15 1041000 15 1041000 15 1041000 15 1041000 15 1041000 15 1041000 15 1041000 15 1041000 15 1041000 15 1041000 15 1041000 15 1041000 15 1041000 15 1041000 15 1	Pat Orsaia she dropped by my office and said, I would like to meet with you. I don't think the meeting took place immediately. I don't think either or both of us was available immediately; but soon after that, we set a time and we met. Q. When did she approach you in person and stop by your office to meet with you? A. I don't recall the exact date. Q. Were you there when she dropped by your office to schedule a meeting? A. I can't say for sure. It's possible that Carole stopped by — and it would not be unusual for any employee to stop by and set an appointment with me through someone else in my department, who had access to my schedule; I	1 Pat Orsaia 1 Pat Orsaia A. No particular reason. Q. At that point, you were the director 10/12/10/10/10/10/10/10/10/10/10/10/10/10/10/
10/41/20/40 3 10/41/20/40 5 10/41/20/40 6 10/41/20/40 9 10/41/20/40 10 10/41/20/40 11 10/41/20/40 12 10/41/20/40 13 10/41/20/40 15 10/41/20/40 15	Pat Orsaia she dropped by my office and said, I would like to meet with you. I don't think the meeting took place immediately. I don't think either or both of us was available immediately; but soon after that, we set a time and we met. Q. When did she approach you in person and stop by your office to meet with you? A. I don't recall the exact date. Q. Were you there when she dropped by your office to schedule a meeting? A. I can't say for sure. It's possible that Carole stopped by — and it would not be unusual for any employee to stop by and set an appointment with me through someone else in my department, who had access to my schedule; I can't say for sure. I have a sense that maybe	1 Pat Orsaia 1 Pat Orsaia A. No particular reason. Q. At that point, you were the director 10,4300000000000000000000000000000000000
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10410000 3 10410000 5 10410000 5 1041000 7 1041000 10 1041000 10 1041000 11 1041000 12 1041000 15 1041000 16 104100 16	Pat Orsaia she dropped by my office and said, I would like to meet with you. I don't think the meeting took place immediately. I don't think either or both of us was available immediately; but soon after that, we set a time and we met. Q. When did she approach you in person and stop by your office to meet with you? A. I don't recall the exact date. Q. Were you there when she dropped by your office to schedule a meeting? A. I can't say for sure. It's possible that Carole stopped by — and it would not be unusual for any employee to stop by and set an appointment with me through someone else in my department, who had access to my schedule; I can't say for sure. I have a sense that maybe she dropped by herself; but it was a long time ago, and I don't have exact recall about it.	Pat Orsaia Pat Orsaia A. No particular reason. Q. At that point, you were the director of HR; right? A. Correct, Q. At this meeting, what, in words or substance, did Ms. Newmark say? A. At this meeting, Carole shared with me that she had met with Cathy Magone, and she had been told by Cathy that another social worker, Nicole, had been selected to work on a particular project. Carole told me that she was disappointed that Nicole had been assigned to this project because it was an area that she, Carole, had an interest in; namely, palliative care area. Carole presented to me in that initial meeting as being disappointed, as being angry, and as having a concern about Nicole's
10410000 3 10410000 5 10410000 5 10410000 7 10410000 10 1041000 10 104100 10 104100 10 1041000 10 1041000 10 1041000 10 1041000 10 104100	Pat Orsaia she dropped by my office and said, I would like to meet with you. I don't think the meeting took place immediately. I don't think either or both of us was available immediately; but soon after that, we set a time and we met. Q. When did she approach you in person and stop by your office to meet with you? A. I don't recall the exact date. Q. Were you there when she dropped by your office to schedule a meeting? A. I can't say for sure. It's possible that Carole stopped by — and it would not be unusual for any employee to stop by and set an appointment with me through someone else in my department, who had access to my schedule; I can't say for sure. I have a sense that maybe she dropped by herself; but it was a long time ago, and I don't have exact recall about it. Q. Do you recall maintaining any notes	Pat Orsaia Pat Orsaia A. No particular reason. Q. At that point, you were the director of HR; right? A. Correct, Q. At this meeting, what, in words or substance, did Ms. Newmark say? A. At this meeting, Carole shared with me that she had met with Cathy Magone, and she had been told by Cathy that another social worker, Nicole, had been selected to work on a particular project. Carole told me that she was disappointed that Nicole had been assigned to this project because it was an area that she, Carole, had an interest in; namely, palliative care area. Carole presented to me in that initial meeting as being disappointed, as being angry, and as having a concern about Nicole's selection for the project.
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10410000 3 10410000 5 10411000 5 10411000 7 10411000 10 10411000 11 1041000 1	Pat Orsaia she dropped by my office and said, I would like to meet with you. I don't think the meeting took place immediately. I don't think either or both of us was available immediately; but soon after that, we set a time and we met. Q. When did she approach you in person and stop by your office to meet with you? A. I don't recall the exact date. Q. Were you there when she dropped by your office to schedule a meeting? A. I can't say for sure. It's possible that Carole stopped by — and it would not be unusual for any employee to stop by and set an appointment with me through someone else in my department, who had access to my schedule; I can't say for sure. I have a sense that maybe she dropped by herself; but it was a long time ago, and I don't have exact recall about it. Q. Do you recall maintaining any notes in connection with her wanting to meet with you — A. No. Q. — when she dropped by? A. No. Q. Do you recall whether she advised COMPU-TRAN SHORTHAND REPORTING	Pat Orsaia A. No particular reason. Q. At that point, you were the director of HR; right? A. Correct, A. Correct, C. At this meeting, what, in words or substance, did Ms. Newmark say? A. At this meeting, Carole shared with me that she had met with Cathy Magone, and she had been told by Cathy that another social worker, Nicole, had been selected to work on a particular project. Carole told me that she was disappointed that Nicole had been assigned to this project because it was an area that she, Carole, had an interest in; namely, palliative care area. Carole presented to me in that initial meeting as being disappointed, as being angry, and as having a concern about Nicole's selection for the project. Q. Did Ms. Newmark indicate, herself, that Ms. Magone had not selected her for that project because Nicole was younger? A. At some point during the conversation,

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Case 7:07-cv-02861-CS	
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Pat Orsala	
2 week Y halfare to the state of the state o	en she asked me if that
A semantial best best sent sent sent sent sent sent sent s	
E Plant. A B of the state of th	
The state of the s	
7 the head way a second of the	eism," did you ever
O complement in the property of	
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40 months best best by the second of the sec	
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45 January Wilde ageism was, 1	<u> </u>
AA	own.
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46 maliation and mail to	is necessary.
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Tir my lole I nave	conversations with
10 Cam members all day long i	
on a	
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an e-all a state of the state o	ment about everything
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28 AC NICAT. THE STATE OF THE S	n you were HR
COMPLETE AND CONTRACTOR OF THE	
30 COMPG-TRAIN SHOR	RTHAND REPORTING
1 Pat Orsaia 1 Pat Orsaia	32 [.]
2 strike that portion of the response that 2 A. Yes.	
was not responsive to my original Q. What is it?	
4 question.	į
5 Q. And from there, I'm going to ask 5 Q. What was the discri	imination policy?
6 you: What, in words or substance, did Ms. Newmark 6 A. The discrimination	
7 say to you with respect to Ms. Magone's use of 7 standard policy that you wou	· -
8 the word "young" or "younger"? 8 every organization that basic	
A. Ms. Newmark told me, at our initial 9 Lawrence Hospital Center do	
10 meeting, that she that Cathy Magone had used 10 its employment practices.	ves not discilliffiate in
11 the word "young" in reference to Nicole during Q. Does it provide for v	what the
their meeting. And this was the meeting where 12 procedure is if an employee believe	
13 Carole was told by Cathy Magone that Nicole had 13 been discriminated against?	
14 been assigned to the palliative-care project. 14 A. The policy encourage and the palliative-care project.	ages any team
15 Q. Did Ms. Newmark indicate, in words 15 member or employee, who fe	•
16 or substance, that Ms. Magone had advised her 16 discriminated against in emp	
17 that one of the reasons she was selecting 17 bring their concern forward.	, , , , , , , , , , , , , , , , , , ,
18 Ms. Serra for that palliative-care project was 18 Q. To whom?	Ì
19 because she was young or younger?	to human resources,
THE REPORT OF THE PROPERTY OF	
21 perception of Cathy Magone's comment. 21 Q. Is there a policy with	I I
Q. Did she say that that's what	
23 Ms. Magone said to her?	
24 A. What Carole said to me was that 24 A. I don't believe the	ere is a specific
25 she asked me she told me what her recall was 25 procedure spelled out in the p	
COMOU TOAKI ON GOOD	THAND REPORTING

		Case 7:07-cv-02861-CS Document	21-5	$\overline{}$	Filed 09/02/2008 Page 37 of 53
	-1	Pat Orsaia		1	35 Pat Orsaia
10-SÓ SARA	2	expectations and, I think, the intent of the	105937AM	2	Isn't that right?
TOTAL STAN	3	policy is that the person be heard and their	10.55;4 LAM	3	A. Ms. Newmark wrote to me that she
19.5	4	concern be addressed.	T0:53-14AM	4	
10.	5	Q. There is nothing that says that		T	still that the concern after I telephoned her
10:51:00AM	6	these concerns should be reduced to writing?	1050-000	6	and gave her Cathy's initial clarification of the comment
10,5 to 17AA	7	A. Not that I'm aware of.	10:53:30AM	7	
(Daninaak)	8	Q. You never, yourself, put anything in	10233244	8	
10:51:1844	9	writing concerning Ms. Newmark's complaints about	10#3-E4NM	9	referring to?
173120AH	1 D	Cathy Magone; is that right?	10:5E-87Ayı	9 10	A. When Carole first met with me.
10 311 32 (44	11	A. That's right.		11	Q. Right.
	12	Can I ask to revisit that question?			A. She voiced a concern that Cathy
10:51:524M		Q. You can.		12	Magone had used the word "young"
	14	A. In terms of having put anything in	10:54:06464		Q. Right.
	15	writing about Ms. Newmark's concerns to Cathy	1,0:seigean		A as part of her explanation about
	16	Magone, I believe there was at least one e-mail.	10:54:00,094		the project assignment, and Carole referenced
102120241 1	_	_	105413944		that to me as ageism.
10:32:05404			10;64;17244		Q. Well, you testified earlier that
		Did you ever put anything in writing	1054:15MA. 1		Ms. Newmark had, in fact, said that Ms. Magone
1052-0544 T		relating to what Ms. Newmark said to you,	10.542486 1		had selected Nicole Serra because she was young;
		relating to Cathy Magone?	10.54;26AN Z		isn't that right?
1042·LAW 2		A. Other than the e-mails I was about	2	21	A. No.
105\$2000 2		to mention, no.	165431AM Z		Q. That is not what you said?
изгла 2		Q. When you say "the e-mails," in what	ì	23	A. No.
105222W Z		e-mails did you reference what Ms. Newmark said?	1931-2344 2	24	Q. What did you say with respect to
1052200AM 2	:5	MR. KEIL: I object as to	10512044 2	25	what Ms. Newmark said to you at that time?
		COMPU-TRAN SHORTHAND REPORTING	<u> </u>		COMPU-TRAN SHORTHAND REPORTING
		34	Ī		36
	1	Pat Orsala		1	Pat Orsaie
TO PERSONAL PRINTERS	2	form.	MS COM	2	A. Could you be more specific in the
10:52:3244	ى -	Q. Did you In the e-mails you're	10:24 ariski	3	question?
10-EX-SIAM	4. -	referencing, did you ever say, this is what	1054 65/04	4	Q. What did Ms. Newmark say to you when
	5	Ms. Newmark said, in those e-mails?	10.54 47AM		she first communicated her concern about Cathy
10.52 +4AM	6	A. I believe there is one e-mail that I	20,8455TAM	6	Magone's reference to "young" and Nicole Serra?
1852:4844	<i>'</i>	sent to Cathy Magone, where I referenced that I	1054SAN	7	A. Ms. Newmark told me that in her
	8	had provided Cathy's clarification around the	ID:54:50AM	8	explanation of why Nicole was selected for the
	9	comment to Carole and that Carole remained upset	TÜ MEXILLAMA		palliative-care project, that Cathy Magone had
10,52:58AM 1		about it and not accepting of Cathy's explanation.	прежиния 1	0	used the word "young" in reference to Nicole.
и мани 1		Q. Did	stanski 1	1	Q. Did she say how Ms. Magone had used
10200046 1	_	A. And I put that in an e-mail to Cathy	1046-1244 1	2	the word "young"?
10:5307AH 1		Magone.	10550mm 1	3	A. I believe Carole said it was
тана 14	-	Q. Did you use the word "young" or	1025 XZAM 1	4 :	something to the effect of, Cathy told her Nicole
токоприи 15		"younger," or anything of that nature?	10:55-1744 1		was young and eager to learn, or could use the
1682:1344 16		A. I believe I said, Carole was still	‰‱ 1 (experience, or something like that. It was
1049:jeap 17		unclear or upset about Cathy's use of the word	10mmin 17		really the use of the word "young" that Carole
105322244 18	3	"young."	10mm.buda 18	_	was focused on.
10537AW 15		Q. That was in reference to the second	.105000Ayu 15	9	Q. As you sit here today, do you recall
105324Mi 20		meeting with Ms. Magone? There was a second	10-te-trans, 20	D 1	what Ms. Newmark said in reference to the word
10532004 21		meeting where Ms. Newmark was present, as well as	тозионы 21		'young"?
. 22		Ms. Magone?	10-34-11AJE 22		A. Just what I have just stated.
₁∞₁	}	A. That's correct.	1038-134 23	3	Q. Apart from that, anything else you
говани 24	ŀ	Q. Following that meeting, Ms. Newmark	_{пефлум} 24	1 r	recall she said to you at that time?
лынаны 2 5	i	had written to you that she still had concerns;	18:50:21AM 25		A. In reference to the use of the word
		COMPU-TRAN SHORTHAND REPORTING			
of 58 shi					COMPU-TRAN SHORTHAND REPORTING

	Case 7:07-cv-02861-CS Document	41-5	39
1	Pat Orsaia]	1 Pat Orsaia
105827AM Z	2 "young"?	16:58 25-44	2 Ms. Magone told her that the reason she was
омалы 3	Q. Yes.	10-55,26444	3 hiring Nicole was because she was young?
- 4	A. Only that she, Carole, questioned	1054,3304	A. The reason she was hiring Nicole?
5	me. Something like, isn't that ageism, is the	10:98:35AM	Q. The reason that Ms. Serra was being
59.3MP 6	way she put it to me.	10:46:3944	
3837AU 7	Q. What response, if any, did you have	1058-4244	_
	for her?	10:50:47444	A. Carole told me that was her
6 سنده	A. I actually asked her to clarify what	(dast-status S	perception, yes.
55 FAM 10	she meant by "ageism."	10.56:50N/4 TC	Q. Did she say that's what Ms. Magone
_{истин} 11	Q. Why?	19.Надам, 11	_
12	 A. Because it wasn't a term I was 	105650W 12	
	familiar with.	1030000 13	
≖ ∞⊶ 14	Q. And what was her response?	1000000 14	· -
» 15	You were not familiar with the word	чиния 15	_
16 mateur	"ageism"?	10:51:1344 16	
****** 17	A. Correct.	1058-13A4 17	_
	Q. What was her response?	1020,3244 18	
19 شعه	A. Her response was that her perception	19	•
20 سم	was that Cathy was telling her that Nicole had	20 سيدودور	
21	been selected for the palliative-care project	1034 JAN 21	the distinction that Ms. Nicaj is making
750m 22	because she was younger in age than Carole.	10:91:363M 22	•
7.4jau 23	Q. As the HR director at that time, you	10302404 23	
ліцы. 24	didn't know what "ageism" meant?	1056 day 24	
75mm 25	A. I thought it was important for	105BRAL 25	The Name of Contract of Contra
	COMPU-TRAN SHORTHAND REPORTING		COMPU-TRAN SHORTHAND REPORTING
	38	-	
1	Pat Orsaia	1 1	40 Pat Örsala
	Carole to clarify.	SDERFIAM 2	MS. NICAJ: Well, I gave her
7.15Au 3	Q. I'm asking, at the time when you	10:55:43AM 3	instructions. I think she understands
122Au 4	asked her what "agelsm" meant, you didn't know	10:52:00M 4	perfectly, but I will be happy to rephrase
.5	what that word meant?	10-86/14AU 5	the question.
	A. I was not famillar with the use of	10303004 6	Q. Did Ms. Newmark tell you that
7 HOALE 7	the word "ageism" as a term that could be used	10.50-5444 7	Ms. Magone told her the reason she was selecting
:«(AM B	interchangeably with age discrimination, no.	TRISHISHAM B	▼ .
9	Q. Did you ever did you look up the	trabaum 9	Ms. Nicole Serra for that care unit, was because Ms. Serra was young?
	definition?	11:00:00.00 10	• =
11	A. No. I asked Carole to clarify for	11:00:1544 11	and the state of t
_{жм} 12	me what she meant by the term "ageism" in the	1120:1544 1.2	thought Cathy meant by her comments, yes.
± 13	context that she was presenting it to me,	11001944 14	MS. NICAJ: Move to strike as
_{ги:} 14	Q. What did she say to you?	11002044 14	not responsive.
···· 15	A. I believe I just stated what she	110021AN 14	MR. KEIL: She answered the
16	said to me.	11002244 16	question.
im 17	Q. What did she say?		MS. NICAJ: No, she has
	A. She said what she meant by "ageism"	11302344 17	not.
19	is that her perception is that Cathy's use of the	1100:2344 18	Q. Did Ms. Newmark say, in words or
20	word "young" in the explanation as to why Nicole	154127AM 19	substance to you, that Ms. Magone told her the
21	was selected for the palliative-care project, was	11003144 20	reason she was selecting Ms. Serra as compared to
22	a reference to the fact that Nicole was younger	1100mm 21	Ms. Newmark, was because Ms. Serra was young?
<u></u> 23	than Carole, and that is why she was selected for	11:0055Aix 22	A. I believe I have answered this
iuu, 24	the approach.	11,0030M, 23	question already; but to the best of my recall,
25 ×		11.01.01.M. 24	Ms. Newmark told me that she was concerned abou
	Q. Didn't she, in fact, say that COMPU-TRAN SHORTHAND REPORTING	11:01:03AM 25	Cathy Magone's use of the word "young" in her
			COMPU-TRAN SHORTHAND REPORTING

	Case 7:07-cv-02861-CS Document	21-5	Filed 09/02/2008 Page-39 of 53 ———
1	Pat Orsaia	.	43
11 01:08AM 2	explanation about why Nicole was selected for the	1	Pat Orsala
	palliative-care project.	1150117204 2	her in response?
1191,7294 3		11.5459.94 3	A. In response to everything that
	MS. NICAJ: I'm going to move to strike as nonresponsive.	manimi 4	Carole had shared with me in that initial
11 5 11019im 6	Can you read the question back.	116H35AK 5	conversation, I suggested to her that it was
1101:time D		15pt:ppm 6	important that we clarify address her concern
,	(Question read)	110emms: 7	and clarify what Cathy had said and what the
0	A. No.	11:04:Make 8	intent of her comments were.
1121 444 ਏ 40	Q. What, if anything else, did she say	1147544 9	And I told Ms. Newmark that I
110140 10	to you during this initial exchange with	158650m 10	understood her concern; that we should definitely
1101564 11	Ms. Newmark?	1155 KP/AH 11	follow up on it. And I offered her a couple of
11,50,50m, 12	A. Ms. Newmark told me in this same	11:35:5km 12	optional ways to do that.
1100mm 13	conversation that I don't remember her exact	пакам 13	Q. What were those?
1102:12AH 14	words, but she indicated to me that she was not	rindona 14	A. I offered her the option of If
114223844 15	entirely comfortable with her role in the	115051144 15	she was comfortable doing so, I suggested to her
11:00:11 M 16	department with Cathy Magone as her director and	1150:115M 16	that a first option would be for Ms. Newmark to
11.202.2014 17	wasn't entirely comfortable or maybe had not	11#5### 17	schedule some private time with Cathy Magone and
11.0020.00x 18	entirely adjusted to the case-management model of	1755554W 18	ask for clarification, and let her know what her
119едын 19	work that was used at Lawrence. And that may	1124жил 19	perception was of their discussion and how she
10ggs(14gg 20	have been when Ms. Newmark reminded me that she	11/05/3544 20	was feeling about the assignment of the projects.
11 mailing 21	had come most recently from the mental-health	11/06/38AM 21	I offered her another option of the
112214 22	work environment, and it was different in the	1105/42AM 22	three of us meeting - Cathy Magone, Ms. Newmark
112250 23	acute-care environment; there is no question	1165-бАН 23	and myself - for a similar discussion.
1120 жм 24	about it. And I believe that Carole, during that	11:05:50AM 24	And I offered her a third option of
namm 25	initial conversation, even said to me that she	11085544 25	my taking her concern to Cathy Magone separately,
<u>-</u> · —	COMPU-TRAN SHORTHAND REPORTING	<u> </u>	COMPU-TRAN SHORTHAND REPORTING
4	42.		44
1	Pat Orsaia	1	Pat Orsaia
			• • • • • • • • •
110,00 Z	wasn't sure if her job at Lawrence was the right	11:00:00 Z	seeking the clarification that she was asking and
11:00:16M 3	one for her at that point. And I believe she	11:00:00MA 2	coming back to her with a response.
31100116AM 3	one for her at that point. And I believe she said something like, maybe it's too soon to tell;	11:00:12A4 4	coming back to her with a response. Those were the options.
11/00/16/44 4 11/00/16/44 5	one for her at that point. And I believe she said something like, maybe it's too soon to tell; or, you know, I'm early in my tenure. Whatever	11:00:12A4 4- 11:00:12A4 5	coming back to her with a response. Those were the options. Q. Did you say anything during this
11/00/11/44 4 11/00/11/44 5 11/00/22/44 6	one for her at that point. And I believe she said something like, maybe it's too soon to tell; or, you know, I'm early in my tenure. Whatever it was.	11:00:12AA 4- 11:00:12AA 5- 11:00:12AA 6-	coming back to her with a response. Those were the options. Q. Did you say anything during this interchange with Ms. Newmark?
11/00/1644 4 11/00/1644 5 11/00/2244 6 11/00/2244 7	one for her at that point. And I believe she said something like, maybe it's too soon to tell; or, you know, I'm early in my tenure. Whatever it was. Q. Did you write any of this down?	11:00:12AA 4- 11:00:12AA 5- 11:00:12AA 6- 11:00:20AA 7-	coming back to her with a response. Those were the options. Q. Did you say anything during this interchange with Ms. Newmark? A. I may have. After presenting the
11:00:11444	one for her at that point. And I believe she said something like, maybe it's too soon to tell; or, you know, I'm early in my tenure. Whatever it was. Q. Did you write any of this down? A. No.	11:00:1244 4- 11:00:1244 5- 13:00:1244 6- 13:00:2244 7- 11:00:2244 8-	coming back to her with a response. Those were the options. Q. Did you say anything during this interchange with Ms. Newmark? A. I may have: After presenting the options, I may have asked Carole if she wanted to
110011644 4 110011644 5 110002644 6 117002644 7 110002644 8	one for her at that point. And I believe she said something like, maybe it's too soon to tell; or, you know, I'm early in my tenure. Whatever it was. Q. Did you write any of this down? A. No. Q. Okay. Did you communicate that with	17,0050AM 3 170012AM 4 170012AM 5 130012AM 6 110020AM 7 11002AM 8 12003AM 9	Coming back to her with a response. Those were the options. Q. Did you say anything during this interchange with Ms. Newmark? A. I may have: After presenting the options, I may have asked Carole if she wanted to think about the options and let me know at some
1120216AM 4 1120226AM 5 1120226AM 6 1120226AM 8 1120226AM 9 1120226AM 9	one for her at that point. And I believe she said something like, maybe it's too soon to tell; or, you know, I'm early in my tenure. Whatever it was. Q. Did you write any of this down? A. No. Q. Okay. Did you communicate that with anyone?	11:00:00AM 3 11:00:10AM 4 11:00:10AM 5 11:00:20AM 7 11:00:20AM 8 11:00:20AM 10	Those were the options. Q. Did you say anything during this interchange with Ms. Newmark? A. I may have: After presenting the options, I may have asked Carole if she wanted to think about the options and let me know at some later time how she wanted to proceed; or we may
11:00:1444 4 11:00:1444 5 11:00:00:444 6 11:00:00:444 8 11:00:00:444 9 11:00:00:444 10	one for her at that point. And I believe she said something like, maybe it's too soon to tell; or, you know, I'm early in my tenure. Whatever it was. Q. Did you write any of this down? A. No. Q. Okay. Did you communicate that with anyone? A. No.	17/00/20/AM 3 17/00/20/AM 4 17/00/20/AM 6 12/00/20/AM 8 17/00/20/AM 9 17/00/20/AM 10 12/00/20/AM 10	Those were the options. Q. Did you say anything during this interchange with Ms. Newmark? A. I may have. After presenting the options, I may have asked Carole if she wanted to think about the options and let me know at some later time how she wanted to proceed; or we may have determined it right there, because the
11:00:1644 4 11:00:1644 5 11:00:00:44 6 11:00:00:44 9 11:00:00:44 10 11 11:00:00:44 12	one for her at that point. And I believe she said something like, maybe it's too soon to tell; or, you know, I'm early in my tenure. Whatever it was. Q. Did you write any of this down? A. No. Q. Okay. Did you communicate that with anyone? A. No. Q. Did she say anything else to you?	17:00:00AM 3 17:00:10AM 4 17:00:10AM 5 17:00:10AM 6 17:00:10AM 7 17:00:00AM 10 17:00:00AM 11 17:00:00AM 11 17:00:00AM 12	Those were the options. Q. Did you say anything during this interchange with Ms. Newmark? A. I may have. After presenting the options, I may have asked Carole if she wanted to think about the options and let me know at some later time how she wanted to proceed; or we may have determined it right there, because the option that she chose was for me to contact Cathy
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11:00:11AM	one for her at that point. And I believe she said something like, maybe it's too soon to tell; or, you know, I'm early in my tenure. Whatever it was. Q. Did you write any of this down? A. No. Q. Okay. Did you communicate that with anyone? A. No. Q. Did she say anything else to you? And when you say you believe, and you believe, what is the basis of your belief?	17:00:00AM 3 17:00:10AM 4 17:00:10AM 5 17:00:10AM 6 17:00:10AM 7 17:00:00AM 10 17:00:00AM 11 18:00:00AM 11 18:00:00AM 11 18:00:00AM 13 17:00:00AM 13 17:00:00AM 14	Those were the options. Q. Did you say anything during this interchange with Ms. Newmark? A. I may have. After presenting the options, I may have asked Carole if she wanted to think about the options and let me know at some later time how she wanted to proceed; or we may have determined it right there, because the option that she chose was for me to contact Cathy Magone, separately, seek the clarification to address her concerns and come back to her with a
11:00:1144 4 11:00:1144 5 11:00:00:44 6 11:00:00:44 9 11:00:00:44 10 11:00:00:44 11 11:00:00:44	one for her at that point. And I believe she said something like, maybe it's too soon to tell; or, you know, I'm early in my tenure. Whatever it was. Q. Did you write any of this down? A. No. Q. Okay. Did you communicate that with anyone? A. No. Q. Did she say anything else to you? And when you say you believe, and you believe, what is the basis of your belief? Because with all due respect, I don't care about	17,000 12/14 4 1700 12/14 5 13/20/14/14 6 11:00/20/14 6 11:00/20/14 9 11:00/20/14 10 11:00/20/14 11 12:00/20/14 11 12:00/20/14 11 12:00/20/14 11 12:00/20/14 11	Those were the options. Q. Did you say anything during this interchange with Ms. Newmark? A. I may have. After presenting the options, I may have asked Carole if she wanted to think about the options and let me know at some later time how she wanted to proceed; or we may have determined it right there, because the option that she chose was for me to contact Cathy Magone, separately, seek the clarification to address her concerns and come back to her with a response.
1100100 3 11001000 5 1100000 6 11000000 9 11000000 10 11000000 10 11000000 10 11000000 12 11000000 12 11000000 13 11000000 15 11000000 15 11000000 15	one for her at that point. And I believe she said something like, maybe it's too soon to tell; or, you know, I'm early in my tenure. Whatever it was. Q. Did you write any of this down? A. No. Q. Okay. Did you communicate that with anyone? A. No. Q. Did she say anything else to you? And when you say you believe, and you believe, what is the basis of your belief? Because with all due respect, I don't care about your belief; I'm interested in your memory. So,	17/00/00/00 3 17/00/00/00 4 4 17/00/10/00 6 17/00/00/00 6 17/00/00/00 9 17/00/00/00 10 17/00/00/00 10 11/00/00/00 11 12/00/00/00 11 13/00/00/00 11 13/00/00/00 11 13/00/00/00 11 11/00/00 11 11/00/00 11 11/00/00 11 11/00/00 11 11/00/00 11 11/00/00 11 11/00/00 11 11/00/00 11 11/00/00 11 11/00/00 11 11/00/00 11 11/00/00 11 11/00/00 11 11/00/00 11 11/00/00 11 11/00/00 11 11 11/00/00 11 11/00 11 11/00 11 11/00 11 11 11/00 11 11	Those were the options. Q. Did you say anything during this interchange with Ms. Newmark? A. I may have. After presenting the options, I may have asked Carole if she wanted to think about the options and let me know at some later time how she wanted to proceed; or we may have determined it right there, because the option that she chose was for me to contact Cathy Magone, separately, seek the clarification to address her concerns and come back to her with a response. And that's what we actually did.
11:00:114M 3 11:00:114M 4 11:00:114M 5 11:00:214M 8 11:00:214M 9 11:00:214M 10 111 11:00:214M 12 11:00:214M 13 11:00:214M 14 11:00:214M 15 11:00:214M 15 11:00:214M 15 11:00:214M 15	one for her at that point. And I believe she said something like, maybe it's too soon to tell; or, you know, I'm early in my tenure. Whatever it was. Q. Did you write any of this down? A. No. Q. Okay. Did you communicate that with anyone? A. No. Q. Did she say anything else to you? And when you say you believe, and you believe, what is the basis of your belief? Because with all due respect, I don't care about your belief; I'm interested in your memory. So, what is the basis of your belief?	17:00:00AM 3 17:00:10AM 4 17:00:10AM 5 17:00:10AM 6 17:00:10AM 7 17:00:00AM 10 17:00:00AM 11 12:00:00AM 11 12:00:00AM 11 12:00:00AM 11 12:00:00AM 11 12:00:00AM 11 12:00:00AM 11 11:00:00AM 11	Those were the options. Q. Did you say anything during this interchange with Ms. Newmark? A. I may have. After presenting the options, I may have asked Carole if she wanted to think about the options and let me know at some later time how she wanted to proceed; or we may have determined it right there, because the option that she chose was for me to contact Cathy Magone, separately, seek the clarification to address her concerns and come back to her with a response. And that's what we actually did. That's what I actually did.
11/2014AM 4 11/2014AM 5 11/2024AM 6 11/2024AM 9 11/2024AM 10 11/2024AM 12 11/2024AM 15 11/2024AM 15 11/2024AM 15 11/2024AM 15 11/2024AM 16 11/2024AM 16 11/2024AM 17 11/2024AM 18	one for her at that point. And I believe she said something like, maybe it's too soon to tell; or, you know, I'm early in my tenure. Whatever it was. Q. Did you write any of this down? A. No. Q. Okay. Did you communicate that with anyone? A. No. Q. Did she say anything else to you? And when you say you believe, and you believe, what is the basis of your belief? Because with all due respect, I don't care about your belief; I'm interested in your memory. So, what is the basis of your belief? A. When I say "I believe," what I'm	17.0019244 4 17.0019244 5 17.0019244 6 17.0019244 7 17.0020244 10 17.0020244 11 17.0020244 11 17.0020244 11 17.0020244 12 17.0020244 15 17.0020244 15 17.0020244 17 17.0020244 17	Those were the options. Q. Did you say anything during this interchange with Ms. Newmark? A. I may have. After presenting the options, I may have asked Carole if she wanted to think about the options and let me know at some later time how she wanted to proceed; or we may have determined it right there, because the option that she chose was for me to contact Cathy Magone, separately, seek the clarification to address her concerns and come back to her with a response. And that's what we actually did. That's what I actually did. Q. Do you recall anything else that was
11001000 3 11001000 5 11000000 6 11000000 10 11000000 10 11000000 10 11000000 10 11000000 10 11000000 10 11000000 10 11000000 10 11000000 10 11000000 10 11000000 10 11000000 10 11000000 10 110000000 10 110000000 10	one for her at that point. And I believe she said something like, maybe it's too soon to tell; or, you know, I'm early in my tenure. Whatever it was. Q. Did you write any of this down? A. No. Q. Okay. Did you communicate that with anyone? A. No. Q. Did she say anything else to you? And when you say you believe, and you believe, what is the basis of your belief? Because with all due respect, I don't care about your belief; I'm interested in your memory. So, what is the basis of your belief? A. When I say "I believe," what I'm providing is my best recall of what was shared in	17,000 12AA 4 17,000 12AA 4 17,000 12AA 6 17,000 12AA 6 17,000 12AA 7 17,000 12AA 10 17,000 12AA	Those were the options. Q. Did you say anything during this interchange with Ms. Newmark? A. I may have. After presenting the options, I may have asked Carole if she wanted to think about the options and let me know at some later time how she wanted to proceed; or we may have determined it right there, because the option that she chose was for me to contact Cathy Magone, separately, seek the clarification to address her concerns and come back to her with a response. And that's what we actually did. Q. Do you recall anything else that was said by you or Ms. Newmark at this meeting?
110021AM	one for her at that point. And I believe she said something like, maybe it's too soon to tell; or, you know, I'm early in my tenure. Whatever it was. Q. Did you write any of this down? A. No. Q. Okay. Did you communicate that with anyone? A. No. Q. Did she say anything else to you? And when you say you believe, and you believe, what is the basis of your belief? Because with all due respect, I don't care about your belief; I'm interested in your memory. So, what is the basis of your belief? A. When I say "I believe," what I'm providing is my best recall of what was shared in that conversation.	17.00192AM 3 1700192AM 4 1700192AM 6 17002DAM 7 17002DAM 10 17002BAM 10 17003BAM 11 17003BAM 11 17004BAM 14 17004BAM 15 17004BAM 16 17004BAM 17 17004BAM 17 17004BAM 17 17004BAM 17 17004BAM 17	Those were the options. Q. Did you say anything during this interchange with Ms. Newmark? A. I may have. After presenting the options, I may have asked Carole if she wanted to think about the options and let me know at some later time how she wanted to proceed; or we may have determined it right there, because the option that she chose was for me to contact Cathy Magone, separately, seek the clarification to address her concerns and come back to her with a response. And that's what we actually did. Q. Do you recall anything else that was said by you or Ms. Newmark at this meeting? A. No.
11001000 21 1100000 21 1100000 21 1100000 21 1100000 10 11000000 10 11000000 10 11000000 10 11000000 10 11000000 10 11000000 21	one for her at that point. And I believe she said something like, maybe it's too soon to tell; or, you know, I'm early in my tenure. Whatever it was. Q. Did you write any of this down? A. No. Q. Okay. Did you communicate that with anyone? A. No. Q. Did she say anything else to you? And when you say you believe, and you believe, what is the basis of your belief? Because with all due respect, I don't care about your belief; I'm interested in your memory. So, what is the basis of your belief? A. When I say "I believe," what I'm providing is my best recall of what was shared in that conversation. Q. So, it's more than your belief; it's	17,000 12/14 4 17,000 12/14 5 13,000 12/14 6 17,000 12/14 6 17,000 12/14 9 17,000 12/14 10 17,	Those were the options. Q. Did you say anything during this interchange with Ms. Newmark? A. I may have. After presenting the options, I may have asked Carole if she wanted to think about the options and let me know at some later time how she wanted to proceed; or we may have determined it right there, because the option that she chose was for me to contact Cathy Magone, separately, seek the clarification to address her concerns and come back to her with a response. And that's what we actually did. Q. Do you recall anything else that was said by you or Ms. Newmark at this meeting? A. No. Q. How long did this meeting last?
11000000 1000000 21 1000000 21 1000000 1000000 10000000 10000000 1000000	one for her at that point. And I believe she said something like, maybe it's too soon to tell; or, you know, I'm early in my tenure. Whatever it was. Q. Did you write any of this down? A. No. Q. Okay. Did you communicate that with anyone? A. No. Q. Did she say anything else to you? And when you say you believe, and you believe, what is the basis of your belief? Because with all due respect, I don't care about your belief; I'm interested in your memory. So, what is the basis of your belief? A. When I say "I believe," what I'm providing is my best recall of what was shared in that conversation. Q. So, it's more than your belief; it's your actual recollection? Is that what you're	17,000 120 A 4 17,000 120 A 4 17,000 120 A 6 17,000 120 A 6 17,000 120 A 7 17,000 120 A 10 17,	Those were the options. Q. Did you say anything during this interchange with Ms. Newmark? A. I may have: After presenting the options, I may have asked Carole if she wanted to think about the options and let me know at some later time how she wanted to proceed; or we may have determined it right there, because the option that she chose was for me to contact Cathy Magone, separately, seek the clarification to address her concerns and come back to her with a response. And that's what we actually did. Q. Do you recall anything else that was said by you or Ms. Newmark at this meeting? A. No. Q. How long did this meeting last? A. To the best of my recollection,
110011444 4 110011444 5 110011444 5 110011444 9 110011444 9 110011444 10 110011444 11 110011444 15 110011444 15 110011444 15 110011444 16 110011444 17 110011444 18 110011444 19 110011444 20 110011444 20 110011444 21	one for her at that point. And I believe she said something like, maybe it's too soon to tell; or, you know, I'm early in my tenure. Whatever it was. Q. Did you write any of this down? A. No. Q. Okay. Did you communicate that with anyone? A. No. Q. Did she say anything else to you? And when you say you believe, and you believe, what is the basis of your belief? Because with all due respect, I don't care about your belief; I'm interested in your memory. So, what is the basis of your belief? A. When I say "I believe," what I'm providing is my best recall of what was shared in that conversation. Q. So, it's more than your belief; it's your actual recollection? Is that what you're saying?	17/00/20/AM 3 17/00/20/AM 4 17/00/20/AM 6 17/00/20/AM 6 17/00/20/AM 9 17/00/20/AM 10 17/00/20/AM 11 12/00/20/AM 12 17/00/20/AM 13 17/00/20/AM 14 17/00/20/AM 16 17/00/20/AM 16 17/00/20/AM 17 17/00/20/AM 17 17/00/20/AM 18 17/00/20/AM 19 20 17/00/20/AM 21 17/00/20/AM 21 17/00/20/AM 21 17/00/20/AM 21 17/00/20/AM 22 17/00/20/AM 23	Those were the options. Q. Did you say anything during this interchange with Ms. Newmark? A. I may have. After presenting the options, I may have asked Carole if she wanted to think about the options and let me know at some later time how she wanted to proceed; or we may have determined it right there, because the option that she chose was for me to contact Cathy Magone, separately, seek the clarification to address her concerns and come back to her with a response. And that's what we actually did. That's what I actually did. Q. Do you recall anything eise that was said by you or Ms. Newmark at this meeting? A. No. Q. How long did this meeting last? A. To the best of my recollection, fifteen to twenty minutes.
11:00:1444 4 11:00:0044 5 11:00:0044 9 11:00:0044 10 11:00:0044 11 11:00	one for her at that point. And I believe she said something like, maybe it's too soon to tell; or, you know, I'm early in my tenure. Whatever it was. Q. Did you write any of this down? A. No. Q. Okay. Did you communicate that with anyone? A. No. Q. Did she say anything else to you? And when you say you believe, and you believe, what is the basis of your belief? Because with all due respect, I don't care about your belief; I'm interested in your memory. So, what is the basis of your belief? A. When I say "I believe," what I'm providing is my best recall of what was shared in that conversation. Q. So, it's more than your belief; it's your actual recollection? Is that what you're saying? A. Yes.	17,000 12/14 4 1100 12/14 5 1150 12/14 6 1100 12/14 6 1100 12/14 10 1100 12/14 10 1100 12/14 11 1100	Those were the options. Q. Did you say anything during this interchange with Ms. Newmark? A. I may have: After presenting the options, I may have asked Carole if she wanted to think about the options and let me know at some later time how she wanted to proceed; or we may have determined it right there, because the option that she chose was for me to contact Cathy Magone, separately, seek the clarification to address her concerns and come back to her with a response. And that's what we actually did. That's what I actually did. Q. Do you recall anything else that was said by you or Ms. Newmark at this meeting? A. No. Q. How long did this meeting last? A. To the best of my recollection, fifteen to twenty minutes. Q. You indicated that she took the
11001000 19 1100000 19 1100000 19 1100000 19 1100000 19 1100000 19 1100000 19 1100000 19 1100000 19 1100000 19 1100000 19 1100000 19 1100000 19 1100000 19 1100000 29 1100000 29 1100000 29	one for her at that point. And I believe she said something like, maybe it's too soon to tell; or, you know, I'm early in my tenure. Whatever it was. Q. Did you write any of this down? A. No. Q. Okay. Did you communicate that with anyone? A. No. Q. Did she say anything else to you? And when you say you believe, and you believe, what is the basis of your belief? Because with all due respect, I don't care about your belief; I'm interested in your memory. So, what is the basis of your belief? A. When I say "I believe," what I'm providing is my best recall of what was shared in that conversation. Q. So, it's more than your belief; it's your actual recollection? Is that what you're saying?	17/00/20/AM 3 17/00/20/AM 4 17/00/20/AM 6 17/00/20/AM 6 17/00/20/AM 9 17/00/20/AM 10 17/00/20/AM 11 12/00/20/AM 12 17/00/20/AM 13 17/00/20/AM 14 17/00/20/AM 16 17/00/20/AM 16 17/00/20/AM 17 17/00/20/AM 17 17/00/20/AM 18 17/00/20/AM 19 20 17/00/20/AM 21 17/00/20/AM 21 17/00/20/AM 21 17/00/20/AM 21 17/00/20/AM 22 17/00/20/AM 23	Those were the options. Q. Did you say anything during this interchange with Ms. Newmark? A. I may have. After presenting the options, I may have asked Carole if she wanted to think about the options and let me know at some later time how she wanted to proceed; or we may have determined it right there, because the option that she chose was for me to contact Cathy Magone, separately, seek the clarification to address her concerns and come back to her with a response. And that's what we actually did. That's what I actually did. Q. Do you recall anything eise that was said by you or Ms. Newmark at this meeting? A. No. Q. How long did this meeting last? A. To the best of my recollection, fifteen to twenty minutes.

-	Case 7:07-cv-02861-CS Document	21-5	Filed 09/02/2008 Page 40 of 53 47
1	Pat Orsaia	1	Pat Orsaia
просе 2	separately?	1710kHJAN 2	meet with her and go into detail about it.
120791994 3	B A. Yes.	111003064 3	Q. Did you tell her, Ms. Magone, what
117 4	Q. Did she communicate the third option	4111000000 4	those concerns were?
. 5	to you at that meeting or at some other point?	11:10:35.04 5	A. I don't recall if we spoke in detail
1 participan 6	A. Well, I have already stated that I	11:10:2730g 6	on the phone. I don't believe so. I believe
115t-sam 7	don't recall exactly if she said to me at that	11:10:32441 7	that we spoke in person.
11074Q4m 8		11110:41AM 8	Q. Did you discuss anything on the
1100'ssau 9		17:10:HAM 9	telephone concerning Ms. Newmark, expressing what
1107A7AN 10		11/18/04/10	she had related to you about Nicole Serra's
11070in 11		11:10.5544 11	appointment to the position?
11.07.54 M 12		11:10:5844 12	A. I don't recall. It's possible that
		10:10:57AM 13	I did.
125181AF 15			
15/04/01/AF 16		11:11:004 15	to what has been marked as Plaintiff's Exhibit 4,
47		1111004 16	which was previously marked at Ms. Magone's
11 00-2044 18		11111364 17	deposition.
40		11.1250/04 18	Directing your attention to
11.00.20W 19 11.00.20W 20		11:12:00## 19	Plaintiff's Exhibit 4, have you seen that?
	The state of the s	161200AM 20	A. Yes.
	may have been actually on vacation at the time	11112/00/04 21	Q. What is that?
11 2211/1 22	• • • • • • • • • • • • • • • • • • • •	1112000 22	A. This is a printout from our e-mail
_{(3−200} 23		намен 23	system, Microsoft Outlook, used at Lawrence
11.00.20AH 24	· · · · · · · · · · · · · · · · · · ·	илация 24	Hospital Center. And it tells me that it's
		11 12244 25	the e-mail system, telling me that a meeting I
	COMPU-TRAN SHORTHAND REPORTING		COMPU-TRAN SHORTHAND REPORTING
	46		48°
1	Pat Orsaia	1	Pat Orsala
11:06:20AN Z		11:1227AF 2	had proposed in this case to Cathy Magone, was
issau 3		11:12азан 3	accepted into her calendar.
1:08:20AM 4		тительн. 4	Q. Where is your e-mail? Did you
		13/1 2/45/A 5	e-mail her asking for a meeting?
120004 6	the same beauty at many and a second of the	11:12: 41.41 6	 A. Weil, this would have been in
1.0020MI 7	Carole was out for some period of time. So, I	пачи 7	response to my e-mailing her not e-mailing so
10#20W 8	don't remember exactly. We may have had to delay	тижеем В	much as proposing a meeting, using the
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	my initial conversation with Cathy Magone because	11:12:22AH 9	calendaring aspect of Microsoft Outlook.
1,9920yu 10	of availability.	11/10:45Au 10	Q. Do you know where that is located?
парацы 11	Q. Did you communicate with Ms. Magone	п такжана. 11	In other words, I don't have a copy of your
12 mm	what the intent of your meeting with her was	пини 12	invitation to Ms. Magone. What I'm asking you
13 maioria 13	going to be, separate and apart from the fact	11:12:1544 13	for is, is there a reason why it's no longer in
14 mens	that you wanted to meet with her to discuss these	113334ML 14	existence, to your knowledge?
4-	concerns? Did you tell her what they were going	порым 15	A. Well, there wouldn't be a hard copy
15 marinum		4.5	of that meeting proposal. It's done through the
	to be about?	ліма ли. 16	
	to be about? A. Yes.	11/13/2040 17	system.
оми 16 жим 17			system.
	A. Yes.	11/132044 17	system. I'm not sure if you're familiar with
	A. Yes. Q. When? When did you first do so?	11/13/2040 17 11/15/2048 18 11/13/2046 19	system. I'm not sure if you're familiar with calendaring and Outlook.
16 17 1944 18 1844 19 1854 20	A. Yes.Q. When? When did you first do so?A. I don't recall the exact date.	11/13/20Au 17	system. I'm not sure if you're familiar with calendaring and Outlook: Q. Lam, but is there a printing
	 A. Yes. Q. When? When did you first do so? A. I don't recall the exact date. Q. How was this ~ by e-mail, or telephone, or something else? 	11/1320AW 17 11/1320AW 18 11/1323AW 19 11/1323AW 20 11/1323AW 21	system. I'm not sure if you're familiar with calendaring and Outlook. Q. I.am, but is there a printing function?
16 17 18 18 18 18 18 18 18 18 18 18 18 18 18	A. Yes. Q. When? When did you first do so? A. I don't recall the exact date. Q. How was this ~ by e-mail, or telephone, or something else? A. My best recollection is that I	11/13/20AW 17 11/13/20AW 18 11/13/20AW 19 11/13/20AW 20 11/13/20AW 21 11/13/20AW 22	system. I'm not sure if you're familiar with calendaring and Outlook. Q. I am, but is there a printing function? A. There is a printing function to
16 17 18 18 19 10 10 10 10 10 10 10 10 10 10	A. Yes. Q. When? When did you first do so? A. I don't recall the exact date. Q. How was this ~ by e-mail, or telephone, or something else? A. My best recollection is that I contacted Cathy by telephone, first, to tell her	11/13/20AW 17 11/13/10K 18 11/13/20AW 19 11/13/20AW 20 11/13/20AW 21 11/13/20AW 22 11/13/20AW 23	system. I'm not sure if you're familiar with calendaring and Outlook. Q. I am, but is there a printing function? A. There is a printing function to print out the calendar.
10000000 16 1000000 17 1000000 19 1000000 20 1100000 21 22 1100000 23 1100000 23 1100000 24 1100000 25	A. Yes. Q. When? When did you first do so? A. I don't recall the exact date. Q. How was this ~ by e-mail, or telephone, or something else? A. My best recollection is that I	11/13/20AW 17 11/13/20AW 18 11/13/20AW 19 11/13/20AW 20 11/13/20AW 21 11/13/20AW 22	system. I'm not sure if you're familiar with calendaring and Outlook. Q. I am, but is there a printing function? A. There is a printing function to

	Case 7:07-cv-02861-CS Doggiment	21-5	Filed 09/02/2008 Page 41 of 53
1	Pat Orsaia	1	51 Pat Orsala
інжам 2	function to print it out; right?	11:37:00ite 2	, at produc
11:12:44.00 3	A. I would not have a reason to print	11/17:10Au 3	<u> </u>
n- 4	out the invitation.	зеления 4	
11 5	Q. Did you spell out what those what	17:07:TEAM 5	
11-12-12-Ай 6		11:17:2244 6	and was a superior and the set in set
11.15 au 7	A. It appears as if in this — in the	11:17:22444 7	
11:14:EZAM 8	subject line of the meeting proposal, I typed in		
11:новы 9	Carole Newmark's concerns, because that's what	11.172744 0	
11:HOM 10	would come back as the subject where it says,	11:17:21A4 10	· · · ·
117,62m 11	"Accepted."	11:1731AK 10	The state of properties, and you
10чера 12	Q. When you communicated with	110720A 12	,
13	Ms. Magone by telephone, was this before or after	11:17:38AH 12	magone, 1
пасны 14	August 21, 2006?	11:17:38AW 1-3	A THE RESIDENCE OF THE COLUMN TO THE COLUMN TO THE PARTY OF THE PARTY
пява 15	A. The date August 21, 2006, on this	31375QM 15	
10мона 16	document to me, represents the date and time when	1 ' '' '	The for the first Flagories
131Y425AW 17	Cathy Magone accepted, via the Outlook system, my	11/12/30/04 16 11/17/30/04 17	and and a serie tilde carole had
11102894 18	meeting proposal.		to the man appet about the
начам 19	Q. When you communicated with	11175344 18	assignment of the project to Nicole, and that her
11:11:44.W · 20	Ms: Magone via telephone, was this before or	11:55:00 19	paragram to a start that decision to assign
11.14 EAR 21	after August 21, 2006?	11/18/5/M 20	Nicole to the project may have something to do
11:15:50M 22	A. I'm not sure. It could have been	111835AF 22	with Nicole's age or Carole's age.
1104mm 23	the same day,	11-11: ISAN 22	worter carry range in site field
11345704 24	Q. Is it fair to say that Ms. Newmark	11:18:19M 23	used the word "young" in her discussion with
11:18:00Agr 25	had communicated to you, on or before August 21,	11:16:14M 24	Carole. And I explained to Cathy that Carole
	COMPU-TRAN SHORTHAND REPORTING	minister 23	seemed to be focused on her use of the word
	50		COMPU-TRAN SHORTHAND REPORTING
1	Pat Orsaia	1	52 Pat Orsaia
11:1506AK 2	2006, about her concerns relating to Cathy Magone?	1083AH 2	"young," and I asked her if she used the word.
11 18:994н З	A. Yes.	111832AM 3	Q. And was there anything else you said
11/15/12/40 4	Q. Do you know when, in relation to	11:tuásan 4	to her at this meeting?
тина 5	August 21, 2006, Ms. Newmark had met with you to	пакам 5	A. Yes. We Cathy answered my
ят ладзем б	discuss these concerns?	110N(15)0# 6	question.
11:1521AW 7	A. I don't know the exact date.	1138,444F 7	Q. What did she say?
171522AM 8	Q. Would that be in your calendar, too?	11:18:47AU 8	A. She said that she thought for a
tringen 9	A. Possibly,	120mman 9	minute, and she said that, as she recalled, she
11950жы: 10	Q. When did you meet with Ms. Magone?	11 18 STAN 10	had referenced the fact that Nicole was younger
11.636ju 11	A. I don't know the exact date. I can	11:19:07AM 11	in her career and eager to learn. And Cathy told
15191944 12	only assume from this that it was after August	1111111111 12	me that she thought that her use of the word
111120W 13	21st.	11 marian 13	"young" had been taken out of context by Carole.
тгижци 14	Q. How long was your meeting with	11/10/25/АН, 14	Q. Did she say anything else to you?
тупканца 15	Ms Magnes	11:00:00 15	A. She expressed her surprise. She
11:14:EM 16	A. To the best of my recollection,	этжжи 16	said that she talked to me about the decision
1116·800 17	approximately, fifteen minutes.	150-áw 17	to assign Nicole to the palliative-care project.
1210 may 18	Q. Did you reduce anything she said to.	11:38d(A) 18	She told me that she had made the decision based
ттевы 19	you or you said to her at this meeting, in	11:1957AM 19	on input from others - specifically, Roseanne
11:1ESIM 20	writing?	11:20:00 2 D	O'Hare, vice-president of patient-care services,
1119 3uu 21	A. No.	11 100 44 21	and also feedback from Maura DelBene, who was the
22	O: District the control of the contr	1120 HAF 22	registered nurse assigned to the palliative-care
23	A. No.	11.30/ISAM 23	program. And that the feedback from both of them
1118500 24	O W = 1010 - 100 -	112021/4 24	was that they were looking for Nicole to be
25	A no	112027Ан 25	assigned to the project.
3 of 58 she	COMPU-TRAN SHORTHAND REPORTING		COMPU-TRAN SHORTHAND REPORTING
			COMPU-TRAN SHORTHAND REPORTING

	Case 7:07-cv-02861-CS Document	21-5	Filed 09/02/2008 Page 42 of 53
1	24	1	55 Pat Orsaia
11200ран 2	Q. Whose decision was it?	11.22:iDeal 2	
п.20044 3	A. It was Cathy Magone's decision, as	11/22/50M 3	
112 4	_	11225144 4	
5	Q. Anything else that she said to you	1123:00AK 5	
1135-ем 6		11:23:20 AM 6	
11,00 MAI 7	MS. NICAJ: Withdrawn.	1123,66AM 7	_
11:20:41·m 8	Q. Was there anything else that Cathy	1123:11AM 8	A. That is what I did.
11269744 9	Magone sald to you at this meeting?		
1720 WW 10		1	
1120.00 11	Q. What?	مما	and the second s
11205144 12	•	1)2020M 17	
1120004 13	been previously assigned to another project,		••
1131.01.01	based on Carole's experience in that area, that	1/22244 13	
1121.074 15	•	112535M 14	
1121.00 16	with me at that time that Carole had been	15 THERESIAN 15	- Are a court in the of our minister.
7121:35AL 17		11ацаяж 16	the transfer of the state of
·	assigned to the mental-health project and had not	1123229w 17	
1121.29AH 18	begun to do whatever work was involved with that	1122244 18	
19 manama 19	project.	11239844 19	Ms. Newmark?
1121334 20	Q. Did she tell you when she had been	11/22/27AN 20	
112135A4 21	assigned to do this project?	1123,07AH 21	 Q. What, in words or substance, did you
11212999 22	A. Not at that meeting, I don't believe	112222000 22	say to her?
112121йм 23	she did. It was prior to the assignment of the	1722mm 23	 A. I told Ms. Newmark that I had spoken
11219444 24	palliative-care project to Nicole.	1125-фин 24	with Cathy Magone. I relayed her concerns of
1123244 25	Q. Do you know when that project was	112347AN 25	Cathy's use of the word "young" in relation to
	COMPU-TRAN SHORTHAND REPORTING		COMPU-TRAN SHORTHAND REPORTING
	54		56
1	Pat Orsaia	1	Pat Orsaia
1121,44,44 2	due?	1123-51AH 2	the assignment of the project.
пания 3	A. No, I don't.	11:23:854н З	I told Ms. Newmark that Cathy
11,2140MA 4	Q. Do you know what Ms. Newmark had to	1123 жин 4	Magone's clarification was that she thought
112136M 5	do with respect to the project?	1134556 5	Carole had taken the word her use of the word
6	A. No.	11.24.26.04. 6	"young" out of context. And what she, in fact,
пожен 7	Q. Did you ask her? Did you ask	1199199W 7	remembered saying, and what the tenor of her
11.21.25mm 8	Ms. Magone?	1734HVV B	statement was, was that Nicole was younger in her
9	A. No,	1124:164 9	career, and this was a good learning opportunity
11.22.25.04. 10	Q. In connection with your duties and	5124520 /M 10	for her. She was eager to learn, et cetera.
этагламу 11	responsibilities as director of HR, did you see	11202384 11	Q. What did Ms. Newmark say to you?
1127'BW 12	any communications with respect to Ms. Newmark's	1124200 12	A. Ms. Newmark indicated that she
11/22/13/04 13	failure to do something concerning that mental-	17260AN 13	didn't find that clarification by Cathy Magone to
1122:11 111 14	health project, prior to your meeting with	112402M 14	be acceptable.
15222884 15	Ms. Magone?	1124 <u>814</u> 15	Q. Did she tell you why?
16	A. No.	11-24- S	A. Ms. Newmark disagreed with what
11223500 17	Q. What else did Ms. Magone say to you	11245 MAIN 17	Cathy stated as to her use of the word "young."
1122.22AW 18	during this meeting?	1135 000 18	Q. What did she say with respect to
112230au 19	A. She indicated that they thought it	пажж 19	that?
11,22344 20	was important that her comment and use of the	11.25:00 AM 20	A. She said that Cathy Magone did not
113234M 21	word "young" be clarified to Carole and her	11:20:00Am 21	say that Nicole was younger in her career.
22			
	concerns be addressed.	1125-134 22	W. Wild, GIO She Sav that Ms. Magone
1122444 23	Q. Whose concerns?	1128-1244 ZZ	Q. What did she say that Ms. Magone said?
		лав-там 23	said?
110224444 23	Q. Whose concerns? A. Ms. Newmark's.	71:25-15AU 23	said? A. As I recall, Ms. Newmark simply said
112244A 23	Q. Whose concerns? A. Ms. Newmark's.	лав-там 23	said?

2 reference to Nicole. 3 Q. Apact from did she withdrawn. 4 Did she say anything else to you at 5 this meeting did you meet with S. Nowmark and what is marked as should meet and continue to discuss it. 5 this time - Ms. Newmark now and Carrole Newmark marked as should meet and continue to discuss it. 6 a Reputative S. Nowmark and what is marked as 13 Pelantiffe Schibit 24, for identification. 17 (Mancaupon, e-mail exchange between 12 Pelantiffe Schibit 24) for identification. 18 Do you recognize Exhibit 247 (Handing) 19 A. X recognize Exhibit 247 (Handing) 19 A. T recognize Exhibit 247 (Handing) 10 C. Did your communication with Magane 22 remember, was this before or after your 21 (Mancaupous 22 remember, was this before or after your 22 (Handing) 10 C. Did you recognize Exhibit 247 (Handing) 10 C. Did you recognize Exhibit 247 (Handing) 10 C. Did you recognize Exhibit 247 (Handing) 11 September 24, 2020 (Handing) 12 C. Did you recognize Exhibit 247 (Handing) 13 The date of the various email sections to relay to her with the formal section of the recognize Exhibit 247 (Handing) 10 C. Did you recognize Exhibit 247 (Handing) 10 C. Did you recognize Exhibit 247 (Handing) 10 C. Did you recognize Exhibit 247 (Handing) 11 September 24, 2020 (Handing) 11 September 24, 2020 (Handing) 12 C. Did you recognize Exhibit 247 (Handing) 13 The date of the various email section to this, 3 (Handing) 14 Interved Ifferent 4-mall, with the original section of the various email	•	- Case 7:07-cv-02861-CS Decument	21-5 -	-Filed 09/02/2008 Page 43 of 5 3
2 reference to Nicola. 4 Did she say anything dies to you at 5 this time - Ms. Newmark? 6 A. Yes. We agreed, during that 7 telephone conversation, that the three of us 8 should meet and continue to discuss it. 1 Ms. NICAI: Con you mark 1 Ms. NICAI: Con you mark 1 Ms. NICAI: Con you was it. 1 Pat Orsain and Carolia Rewmark, marked as 1 Palaintiff schibit 24, for identification. 1 Remember, was this before or after your 2 remember, was this before or after your 2 communication with Ms. Newmark and myself. 2 A. Trecognize it as an e-mail exchange 2 communication with Ms. Newmark to relay to her 2 communication with Ms. Newmark to relay to her 2 communication with Ms. Newmark to relay to her 2 communication with Ms. Newmark to relay to her 2 communication with Ms. Newmark to relay to her 2 communication with Ms. Newmark to relay to her 3 you you recognize with Ms. Newmark to relay to her 4 are three different e-mails, with the original 5 missage from Ms. Newmark and what appears to be missage from Ms. Newmark to relay to the marked of the various e-mails? Because there 5 missage from Ms. Newmark and Ms. Nagone 6 you recognize with Ms. Magone sone cour before or after September 12, 2006; concerning Candle Newmark? 1 Pat Orsain 5 Pat Orsain 1 Pat Orsain 2 Q. Did you communication with Ms. Newmark and Ms. Nagone 2 O. Did you verse mail to same day, 3 A. No. 2 O. Did you communication with Ms. Newmark and Ms. Nagone 3 Vou you recognize the e-mail to same day, 4 Insert with Cathy Magone concerning Ms. Newmark? 4 With Ms. Nagone socrate flow or after your 4 With Ms. Newmark and Ms. Magone concerning with Ms. Magone concerning or and the various e-mails? 5 Vou you. New Newmark and Ms. Magone 6 Vour recognize the mai	4			59
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12 Pat Orsala and Carole Newmark, merked as Plaintiff's Exhibit Name Plaintiff's Exhibit 24, for identification.) 14 Mentification.) 15 Q. I'm going to show you what is marked as Plaintiff's Exhibit 24, for identification. 16 Do you recognize Exhibit 247 17 (Handing) 18 Do you recognize Exhibit 247 20 between Carole Newmark and myself. 21 Q. Was this the e-mail — if you can remember, was this before or after your communication with Ms. Newmark and myself. 22 communication with Ms. Newmark to relay to free meeting with Ms. Newmark to relay to free meeting with Ms. Newmark and what appears to be meeting with the original remember 12 (D. Dy you recall how long prior to 15 eptember 12), 2006, you meet with Ms. Magone to this e-mail is same and you see that? 23 when the different e-mails, with the original remember 12 (D. Dy you recall how long prior to 15 eptember 12 (D. Dy you recall how long prior to 16 email.) Do you see that? 25 A. No. Trm sorry. Could you communication with Ms. Magone to detect of the various e-mails? Because there 4 are three different e-mails, with the original remember 12 (D. Dy you response to thote e-mail the same day, 19 out a prior to 19 out response to thot e-mail the same day, 19 out prior to 19 out were reduce what Ms. Magone to this e-mail. Do you see that? 3 A. No. Trm sorry. Could you communication with Ms. Magone 20 Ms. NELT: Could we clarify which communication? 4 are three different e-mails, with the original remember with the original remember with the mail that is marked with Ms. Magone 20 Ms. Newmark and with appears to be concerning what Ms. Newmark And told you? 3 A. Yes. 3 C. Do you are the meeting with Ms. Magone 20 Ms. Newmark with Cathy Magone prior to 4 the meeting with Ms. Magone 20 Ms. Newmark and with Ms. Magone? 3 A. No. Tree of you and the e-mail this same day, 20 you specified to this e-mail. 3 A. No, I don't know the exact date that 2 you? 3 A. No that I recall. 4 A. No that I recall. 5 A. No	11.2581/W 10	this.	11285жы 10	Q. When?
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14 identification.) Q. I'm going to show you what is marked as Plaintiff's Exhibit 24, for identification. (**Manufus**) Do you recognize Exhibit 24? A. I recognize it as an e-mail exchange between Carole Newmark and myself. Q. Was this the e-mail — if you can remember, was this before or after your communication with Ms. Newmark to relay to her what Ms. Magones position was? A. This is after. **COMPU-TRAN SHORTHAND REPORTING** Pat Orsala Q. Do you recall, in relation to this, massage from Ms. Newmark and what eppears to be your response to that e-mail the same day, you see that? A. Yes. Q. Do you see that? A. Yes. Q. Do you recall how long prior to e-mail. Q. Did you ever reduce what Ms. Magone to the e-mail the same day. You petwern I was not be date of the various, whether it was on the date of the various thing sate of the various that is recall. Q. Did you ever reduce what Ms. Magone to for the meeting what Ms. Newmark had told you? A. No, I don't know the exact date that with Cathy Magone prior to this e-mail the same day. You speember 12, 2006, concerning Carole Newmark? ***What Ms. Magones position was?* ***Pat Orsala Q. Do you recall, in relation to this, the date of the various e-mails? Because there a message from Ms. Newmark and what appears to be your response to that e-mail the same day. You speet that? ***Pat Orsala A. Yes. ***Pat Orsala Q. Do you recall how long prior to e-mail. Do you see that? A. Yes. ***Pat Orsala 1	13	Plaintiff's Exhibit Number 24, for	113001AM 13	
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5 message from Ms. Newmark and what appears to be your response to that e-mail the same day, 5 September 12th; then, her response to your e-mail. Do you see that? 5 A. Yes. 6 Q. So, between the meeting with all three of you and the e-mail that is marked 7 three of you and the e-mail that is marked 8 Plaintiff's Exhibit 24 the e-mails, rather you spoke with Ms. Magone concerning Ms. Newmark; 9 A. Yes. 10 Q. Do you recall how long prior to 11 September 12, 2006, you met with Ms. Magone 12 concerning what Ms. Newmark had told you? 13 A. No, I don't know the exact date that 14 I met with Cathy Magone prior to this e-mail. 15 Q. Did you ever reduce what Ms. Magone 16 told you to writing, whether it was on the date 17 of the meeting with her or sometime after? 18 A. Not that I recall. 19 Q. Did you ever send anything to 19 Ms. Newmark in writing as to what Ms. Magone told 19 you? 20 Ms. Newmark in writing as to what Ms. Magone told 19 you? 21 Q. Did there come a time that there 22 was, in fact, this meeting between the meeting with all 10 three of you and the e-mail that is marked 11 three of you and the e-mail that is marked 11 three of you and the e-mail that is marked 12 three of you and the e-mail that is marked 12 three of you and the e-mail that is marked 13 three of you and the e-mail that is marked 14 three of you and the e-mail that is marked 15 three of you and the e-mail that is marked 16 told you weeks ather you spoke with Ms. Magone concerning Ms. Newmark; 18 Jistum 12 A. I just need to take a step back a 19 Jistum 12 A. I just need to take a step back a 19 Jistum 12 A. The first in this series of e-mails 19 Jistum 13 A. The first in this series of e-mails 19 Jistum 14 A. The first in this series of e-mails 19 Jistum 15 A. The first in this series of e-mails 19 Jistum 16 Jistum 16 Jistum 16 Jistum 17 A. The first in this series of e-mails 19 Jistum 18 A. The first in this series of e-mails 19 Jistum 18 A. The first in this series of e-mails 19 Jistum 19 A. The first in this series of e-mails 19	1 11272000 Z	Q. Do you recall, in relation to this,	1985W Z	Pat Orsaia Q. Prior to that meeting but on or
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24 was, in fact, this meeting between the three of 25 you - you, Ms. Newmark and Ms. Magone? 25 Q. Right. **COMPU-TRAN SHORTHAND REPORTING** **COMPU-TRAN SHORTHAND REPORTING SHORTHAND REPORTING SHORTHAND REPORTING SHORTHAND REPORTING SHORTHAND SHORTHAN	11273044 3 11273044 4 11273044 6 11273044 6 11273044 7 11273044 10 11273044 11 11273044 11 11273044 12 1128204 13 11282044 15 11282044 15 11282044 15 11282044 15 11282044 15 11282044 15 11282044 15 11282044 15 11282044 15	Q. Do you recall, in relation to this, the date of the various e-mails? Because there are three different e-mails, with the original message from Ms. Newmark and what appears to be your response to that e-mail the same day, September 12th; then, her response to your e-mail. Do you see that? A. Yes. Q. Do you recall how long prior to September 12, 2006, you met with Ms. Magone concerning what Ms. Newmark had told you? A. No, I don't know the exact date that I met with Cathy Magone prior to this e-mail. Q. Did you ever reduce what Ms. Magone told you to writing, whether it was on the date of the meeting with her or sometime after? A. Not that I recall. Q. Did you ever send anything to Ms. Newmark in writing as to what Ms. Magone told you?	1100,000 2 1100,000 4 1100,000 5 1100,000 6 1101,000 6 1101,000 6 1101,000 7 1101,000 1 1101,000 1 1001,000 1 1001,0	Q. Prior to that meeting but on or after September 12th, 2006, did you communicate with Ms. Magone concerning Carole Newmark? A. Yes. Q. So, between the meeting with all three of you and the e-mail that is marked Plaintiff's Exhibit 24 the e-mails, rather you spoke with Ms. Magone concerning Ms. Newmark; is that right? A. I just need to take a step back a little bit. Q. Sure. A. The first in this series of e-mails from Carole to me on September 12th at 11:45 a.m., she says, "This is the follow-up to our meeting of approximately two weeks ago." At this point, I believe Ms. Newmark and I had already had our telephone conversation, where I provided her with Cathy's response to her concern.
25 you - you, Ms. Newmark and Ms. Magone? Q. Right. COMPU-TRAN SHORTHAND REPORTING COMPU-TRAN SHORTHAND REPORTING	1127200AN 3 112720AN 4 112720AN 5 112720AN 6 112720AN 6 112720AN 7 112720AN 10 112720AN 11 112720AN 11 112720AN 15	Q. Do you recall, in relation to this, the date of the various e-mails? Because there are three different e-mails, with the original message from Ms. Newmark and what appears to be your response to that e-mail the same day, September 12th; then, her response to your e-mail. Do you see that? A. Yes. Q. Do you recall how long prior to September 12, 2006, you met with Ms. Magone concerning what Ms. Newmark had told you? A. No, I don't know the exact date that I met with Cathy Magone prior to this e-mail. Q. Did you ever reduce what Ms. Magone told you to writing, whether it was on the date of the meeting with her or sometime after? A. Not that I recall. Q. Did you ever send anything to Ms. Newmark in writing as to what Ms. Magone told you? A. Not that I recall.	1100,000 4 4 1100,000 5 5 1100,000 6 6 1101,000 6 6 1101,000 6 6 1101,000 6 7 1101,000 6	Q. Prior to that meeting but on or after September 12th, 2006, did you communicate with Ms. Magone concerning Carole Newmark? A. Yes. Q. So, between the meeting with all three of you and the e-mail that is marked Plaintiff's Exhibit 24 the e-mails, rather you spoke with Ms. Magone concerning Ms. Newmark; is that right? A. I just need to take a step back a little bit. Q. Sure. A. The first in this series of e-mails from Carole to me on September 12th at 11:45 a.m., she says, "This is the follow-up to our meeting of approximately two weeks ago." At this point, I believe Ms. Newmark and I had already had our telephone conversation, where I provided her with Cathy's response to her concern. Q. Right.
COMPU-TRAN SHORTHAND REPORTING COMPU-TRAN SHORTHAND REPORTING	1127200AN 3 112720AN 4 112727AN 5 112727AN 6 312727AN 6 312727AN 7 112727AN 10 112727AN 10 112727AN 11 112727AN 13 112820AN 15 112820AN 15 112820AN 15 112820AN 15 112820AN 15 112820AN 17 112820AN 18 112820AN 20	Q. Do you recall, in relation to this, the date of the various e-mails? Because there are three different e-mails, with the original message from Ms. Newmark and what appears to be your response to that e-mail the same day, September 12th; then, her response to your e-mail. Do you see that? A. Yes. Q. Do you recall how long prior to September 12, 2006, you met with Ms. Magone concerning what Ms. Newmark had told you? A. No, I don't know the exact date that I met with Cathy Magone prior to this e-mail. Q. Did you ever reduce what Ms. Magone told you to writing, whether it was on the date of the meeting with her or sometime after? A. Not that I recall. Q. Did you ever send anything to Ms. Newmark in writing as to what Ms. Magone told you? A. Not that I recall. Q. Did there come a time that there	1100,000 4 4 1100,000 5 5 1100,000 6 6 1101,000 6 6 1101,000 6 6 1101,000 6 7 1101,000 6	Q. Prior to that meeting but on or after September 12th, 2006, did you communicate with Ms. Magone concerning Carole Newmark? A. Yes. Q. So, between the meeting with all three of you and the e-mail that is marked Plaintiff's Exhibit 24 the e-mails, rather you spoke with Ms. Magone concerning Ms. Newmark; is that right? A. I just need to take a step back a little bit. Q. Sure. A. The first in this series of e-mails from Carole to me on September 12th at 11:45 a.m., she says, "This is the follow-up to our meeting of approximately two weeks ago." At this point, I believe Ms. Newmark and I had already had our telephone conversation, where I provided her with Cathy's response to her concern. Q. Right. A. Then, we had talked about setting up
15 of FO	1127200AN 3 112720AN 4 112720AN 5 112720AN 6 112720AN 6 112720AN 10 112720AN 10 112720AN 11 112720AN 15 112720AN 15 112720AN 15 112720AN 15 112720AN 15 112720AN 15 112720AN 16 112720AN 17 112720AN 17 112720AN 17 112720AN 18 112720AN 19 112720AN 20	Q. Do you recall, in relation to this, the date of the various e-mails? Because there are three different e-mails, with the original message from Ms. Newmark and what appears to be your response to that e-mail the same day, September 12th; then, her response to your e-mail. Do you see that? A. Yes. Q. Do you recall how long prior to September 12, 2006, you met with Ms. Magone concerning what Ms. Newmark had told you? A. No, I don't know the exact date that I met with Cathy Magone prior to this e-mail. Q. Did you ever reduce what Ms. Magone told you to writing, whether it was on the date of the meeting with her or sometime after? A. Not that I recall. Q. Did you ever send anything to Ms. Newmark in writing as to what Ms. Magone told you? A. Not that I recall. Q. Did there come a time that there was, in fact, this meeting between the three of	1100,000 2 1100,000 4 1100,000 5 1100,000 6 1101,000 6 1101,000 6 1101,000 7 1101,000 1 1101,000 2 1101,000 2 1101,000 2 1101,000 2 1101,000 2 1101,000 2 1101,000 2 1101,000 2 1001,000 2 1001,0	Q. Prior to that meeting but on or after September 12th, 2006, did you communicate with Ms. Magone concerning Carole Newmark? A. Yes. Q. So, between the meeting with all three of you and the e-mail that is marked Plaintiff's Exhibit 24 the e-mails, rather you spoke with Ms. Magone concerning Ms. Newmark; is that right? A. I just need to take a step back a little bit. Q. Sure. A. The first in this series of e-mails from Carole to me on September 12th at 11:45 a.m., she says, "This is the follow-up to our meeting of approximately two weeks ago." At this point, I believe Ms. Newmark and I had already had our telephone conversation, where I provided her with Cathy's response to her concern. Q. Right. A. Then, we had talked about setting up a meeting with the three of us.
\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	1127200AN 3 112720AN 4 112720AN 5 112720AN 6 112720AN 6 112720AN 7 112720AN 10 112720AN 10 112720AN 11 112720AN 12 112720AN 13 112720AN 15 112720AN 15 112720AN 16 112720AN 17 112720AN 18 112720AN 18 112720AN 20	Q. Do you recall, in relation to this, the date of the various e-mails? Because there are three different e-mails, with the original message from Ms. Newmark and what appears to be your response to that e-mail the same day, September 12th; then, her response to your e-mail. Do you see that? A. Yes. Q. Do you recall how long prior to September 12, 2006, you met with Ms. Magone concerning what Ms. Newmark had told you? A. No, I don't know the exact date that I met with Cathy Magone prior to this e-mail. Q. Did you ever reduce what Ms. Magone told you to writing, whether it was on the date of the meeting with her or sometime after? A. Not that I recall. Q. Did you ever send anything to Ms. Newmark in writing as to what Ms. Magone told you? A. Not that I recall. Q. Did there come a time that there was, in fact, this meeting between the three of you - you, Ms. Newmark and Ms. Magone? COMPU-TRAN SHORTHAND REPORTING	1100,000 2 1100,000 4 1100,000 5 1100,000 6 1101,000 6 1101,000 6 1101,000 7 1101,000 1 1101,000 2 1101,000 2 1101,000 2 1101,000 2 1101,000 2 1101,000 2 1101,000 2 1101,000 2 1001,000 2 1001,0	Pat Orsaia Q. Prior to that meeting but on or after September 12th, 2006, did you communicate with Ms. Magone concerning Carole Newmark? A. Yes. Q. So, between the meeting with all three of you and the e-mail that is marked Plaintiff's Exhibit 24 the e-mails, rather you spoke with Ms. Magone concerning Ms. Newmark; is that right? A. I just need to take a step back a little bit. Q. Sure. A. The first in this series of e-mails from Carole to me on September 12th at 11:45 a.m., she says, "This is the follow-up to our meeting of approximately two weeks ago." At this point, I believe Ms. Newmark and I had already had our telephone conversation, where I provided her with Cathy's response to her concern. Q. Right. A. Then, we had talked about setting up a meeting with the three of us. Q. Right.

ties 4 Car	Case 7:07-cv-02861-CS	11:28:35404	1	63 Pat Orsaia
11.25(7.84) 2 11.25(7.84) 3 thr		iima	•	rat Orsala
HERENA 3 thr	oo, between that the the time the		2 commun	nications did you have with Ms. Magone
1117 4 Car	ree of us met, I must've communicated with	11:35:00444		ing that?
	hthy to set up the meeting time for the three of	11:35:0040	_	. I believe it was one conversation.
	to get together.	11:35:114M	5 <u>C</u>	
13201ми 6	Q. Okay	1126:1444		. I don't know the exact date.
11:22:17im 7	A. And I do recall speaking with	11.36:1544	7 G	
	ithy Magone to let her know that I had spoken to	11:35:1644		. I don't know exactly. I believe it
	role after my initial meeting with Cathy			er September 12th.
	agone, provided Carole with Cathy's		0 C	
_	arification of her use of the word "young" and		1 A	· · · · · · · · · · · · · · · · · · ·
	at Carole was not in agreement with it and was	17:35:2444 1	- •	
	t yet comfortable with the explanation.	11353644 1		
1132.00 14	Q. Did you have this second communication	l	4 A	-
	th Ms. Magone before or after September 12th?	17087EM 1		
11320044 16	A. I'm not certain.	11.352940 1	_	to bid you bak her to bally thing the
1133060 17	Q. Did you do so in writing or some		7	A. No.
	ner manner?	11283gay. 1	•	
11.3±10.w. 19	A. I spoke to her on the phone,	1135344 1	_	lagone about Ms. Newmark telling you that
1123 1244 20	Q. What did you say to Ms. Magone, in	113545AL Z		't find Ms. Magone's statements
	irds or substance?	11000144.2		
11.08:19.44 22	A. I told Cathy that I had contacted	1135504 2		She disagreed with Ms. Magone's
	role and that I had given Carole, Cathy	11.262244 2	_	nts, after that statement that Ms. Newmark
	agone's explanation of the word "young" and that	11250A 2		you and the actual meeting between the
	role did not find it acceptable; she was not in	11200 2	_	you, at some point Ms. Magone spoke to
1	COMPU-TRAN SHORTHAND REPORTING	TERMINE A		COMPU-TRAN SHORTHAND REPORTING
	62			64
1	Pat Orsala		1	Pat Orsaia
nosana 2 agi	reement with it. And that Carole and I both	11:06:04AM	2. vo⊔abou	
name 3 the	ought it would be helpful for the three of us	1130:00AM	3 A	. Yes.
1133jism 4 to 1	meet and continue to discuss it.	11:345:57Apr	4 Q	Prior to that time, had she
13232444 5	Q. What, if anything, did Ms. Magone	1538:00444	·	
тазаны 6 say	y to you?	1138 (ZW)		•
атазнія 7	A. She agreed.	1 E36-BTÁM	7 A	·
11,00,0041 8	Q. Was there anything else said?	11:38:51AM	8 Cathy a	· · · · · · · · · · · · · · · · · · ·
1122×48Aii 9	A. Not that I recall.	11-377-010904		_
10 market	Q. During this interchange	11.22.25EAN 1		-
1132-07Am 11	A. Not that I recall. Once again,	11272544 1		ne O'Hare and Maura DelBene - about who
1133,804 12 the	ere may have been some discussion about trying	71:37:1E44 1	2 they wo	ould prefer to have assigned to the
masia 13 to s	set up the meeting because of people's	maringe 1	_	at that time, Cathy indicated to me that
1126004 14 ауд	ailability.	nation 1		their feedback in relation to Carole was
tradionic 15	Q. Between that telephone conversation	119729AH 1		itive. And that was part of the feedback
11349740 16 With	h Ms. Magone, and the actual meeting with	11.575pm 1	_	y gave to Cathy about their preference to
пэным 17 Мs.	. Magone and Ms. Newmark, did you have any	11385204 1	7 have Nic	cole assigned to the project, instead of
niesa 18 othe	er communications with Ms. Magone relating to	11:37:4444 1		
п эким 19 М5.	. Newmark?	11.00 T	e Q	. Apart from that, was that
113F60Ú 20	A. To my best recollection, I did;	1127 WAR 2	commun	ication that you had with Ms. Magone
_{поним} 21 bec	cause at some point prior to the meeting that	1) 335 SAM 2		in reference to when Ms. Newmark had
. 22 the	three of us had, I had some conversation with	1137300 2	2 expresse	d her concern to you about Ms. Magone
	thy Magone about Ms. Newmark's attendance and	н эгж ч 2	3 referring	to the reasons Ms. Nicole Serra was
1104944 24 рег	rformance concerns on Cathy Magone's part.	11:38:034M Z	selected	instead of her; is that right?
11:38:049M 25	Q. When did you have those? How many	113F05#M 2	5 A.	. Yes.
1123244 3 tho 1123244 4 to 1123244 5 1232444 6 Sây 11232444 8 11232444 9 11232444 10	neet and continue to discuss it. Q. What, if anything, did Ms. Magone y to you? A. She agreed. Q. Was there anything else said? A. Not that I recall. Q. During this interchange	TIONOUS TO THE TOTAL	A A A A A A A A A A A A A A A A A A A	l. Prior to that time, had she ilcated with you about Ms. Newmark's ance? Prior to that, when I had spoken to bout the project assignment and Cathy had ed to me that she had gotten feedback from sources I have already mentioned -

	Case 7:07-cv-02861-CS Document	21-5	Filed 09/02/2008 - Page 45 of 53
1	Pat Orsaia	1	67 Pat Orsaia
11,343542 2	Q. So, once you communicated what	11:40:00.00 2	
1124коди 3	Ms. Newmark said to you, Ms. Magone then	1300 Maria 3	The state of the s
10° 4	mentioned the reason for the selection of	15:40.57AU 4	
" 5	Ms. Serra; is that right?	11-41-00 AM 5	·
11:38:28:44 6	A. In my telephone conversation after	11:41:09AW 6	•
1131200 7	my first meeting with Ms. Newmark, when I went	11141.00mg 7	Q. Getting back to the second time
13.2430/44 В	back to Cathy Magone by telephone to seek	114110AM 8	where you say there was withdrawn.
пакажи 9	clarification about Carole's concern over her use	тигам 9	You indicated that Ms. Magone
11:38/55AM 10	of the word "young," Cathy Magone was talking to	11:11:16AW 10	
11 majorial	me about her decision process of assigning Nicole	11:01:2244 11	performance and her unplanned absences at some
1130am 12	to the palliative-care project. And after she	11:41:36AM 12	
11.0 1,0004 13	clarified for me her use of the word "young," she	15изрен 13	A. Yes. At some point, Cathy brought
1130эны 14	was talking to me about her decision process, and	114120M 14.	
112020944 15	she talked about Carole having aiready been	11:maious 15	Q. That was after September 12th, 2006;
_{такезна} 16-	assigned to a project.	11:037Apt 16	is that right?
11:29,10,44 17	Now, this new project for palliative	онам 17	A. I don't know,
11307KM 18	care had come about, and it was her decision she	11;41×81A4 18	Q. Was that after your communication
113427АН 19	had selected Nicole to be assigned to that	114isaiu 19	with her, your initial communication with her
1139294 20	project. She had gotten two feedbacks, from	1141×504 20	concerning Ms. Newmark's expression of concern?
113035ж 21	Roseanne O'Hare and Maura DelBene, who were both	1003444 21	A. I think I first became aware of
113932AN 22	closely involved with the project, and that they	11:distai: 22	concerns with Ms. Newmark's attendance pattern
11282844 23	had voiced some concern to Cathy about Carole's	териями 23	after Ms. Newmark told me that she had
1100,040,0 24	performance in her role to date. And they	seizmai 24	requested or not requested; she had advised
1124774 25	basically had said to Cathy, our preference would	11 42:5MM 25	Cathy Magone that she needed some time off for
	COMPU-TRAN SHORTHAND REPORTING		COMPU-TRAN SHORTHAND REPORTING
	66		68
1	66 Pat Orşala	1	
1113855544 2	Pat Orsala be to have Nicole assigned to the palliative-care	1 139238AM 2	68
	Pat Orsala be to have Nicole assigned to the palliative-care project. Cathy shared that with me.	1 1314238AM 2 114208AM 3	68 Pat Orsaia
тэнээм 2	Pet Orsala be to have Nicole assigned to the palliative-care project. Cathy shared that with me. Q. Did Maura DelBene supervise	,	68 Pat Orsaia some medical testing. And I think at that point,
112655Au 3	Pat Orşala be to have Nicole assigned to the palliative-care project. Cathy shared that with me. Q. Did Maura DelBene supervise Ms. Newmark?	11/420F/FM 3	Pat Orsaia Pat Orsaia some medical testing. And I think at that point, Ms. Newmark told me that Cathy had spoken to her In regard to this request, in regards to the fact that she had already had some unplanned time off,
112855AR 3	Pet Orsala be to have Nicole assigned to the palliative-care project. Cathy shared that with me. Q. Did Maura DelBene supervise Ms. Newmark? A. She did not.	11/42000M 3	Pat Orsaia Pat Orsaia some medical testing. And I think at that point, Ms. Newmark told me that Cathy had spoken to her in regard to this request, in regards to the fact that she had already had some unplanned time off, and that I believe it had been communicated —
112055244 2 112055444 4 112055444 5	Pet Orsala be to have Nicole assigned to the palliative-care project. Cathy shared that with me. Q. Did Maura DelBene supervise Ms. Newmark? A. She did not. Q. Did she have any role in the social	11/4201494 3 11/4201494 4 11/4201494 5	Pat Orsaia Pat Orsaia some medical testing. And I think at that point, Ms. Newmark told me that Cathy had spoken to her In regard to this request, in regards to the fact that she had already had some unplanned time off,
113950AM 2 11395AAM 4 114060AM 5 114060AM 6 113600AM 7 11400AAM 8	Pat Orsala be to have Nicole assigned to the palliative-care project. Cathy shared that with me. Q. Did Maura DelBene supervise Ms. Newmark? A. She did not. Q. Did she have any role in the social work department?	11 42004AM 3 11 42004AM 4 11 42004AM 5 11 42004AM 6 11 42004AM 7 11 42004AM 8	Pat Orsaia Pat Orsaia some medical testing. And I think at that point, Ms. Newmark told me that Cathy had spoken to her In regard to this request, in regards to the fact that she had already had some unplanned time off, and that I believe it had been communicated — according to Ms. Newmark — to her, by Cathy Magone at that point, that the time off she was
11:30:50AM 2 11:30:50AM 4 10:30:50AM 5 11:40:50AM 6 11:40:50AM 8 11:40:50AM 9	Pet Orsala be to have Nicole assigned to the palliative-care project. Cathy shared that with me. Q. Did Maura DelBene supervise Ms. Newmark? A. She did not. Q. Did she have any role in the social work department? A. She would, in the course of her job	1142000 3 1142000 4 1142000 5 1142000 6 1142000 7	Pat Orsaia Pat Orsaia some medical testing. And I think at that point, Ms. Newmark told me that Cathy had spoken to her In regard to this request, in regards to the fact that she had already had some unplanned time off, and that I believe it had been communicated — according to Ms. Newmark — to her, by Cathy
11:30:50AM 2 11:30:5AAM 4 11:40:50AM 5 11:40:50AM 7 11:40:50AM 8 11:40:50AM 10	Pet Orsala be to have Nicole assigned to the palliative-care project. Cathy shared that with me. Q. Did Maura DelBene supervise Ms. Newmark? A. She did not. Q. Did she have any role in the social work department? A. She would, in the course of her job duties, need to relate to people in the social	11/42004M 3 11/42004M 4 11/42004M 5 11/42004M 6 11/42004M 7 11/42004M 8 11/42004M 9 11/42004M 10	Pat Orsaia Some medical testing. And I think at that point, Ms. Newmark told me that Cathy had spoken to her In regard to this request, in regards to the fact that she had already had some unplanned time off, and that I believe it had been communicated— according to Ms. Newmark—to her, by Cathy Magone at that point, that the time off she was requesting for the medical testing, was not approved.
113950AM 2 11395AM 4 11395AM 4 11400AM 5 11400AM 6 11390AM 8 11390AM 9 11400AM 10	Pat Orsala be to have Nicole assigned to the palliative-care project. Cathy shared that with me. Q. Did Maura DelBene supervise Ms. Newmark? A. She did not. Q. Did she have any role in the social work department? A. She would, in the course of her job duties, need to relate to people in the social work and case management department, as they	11/42000M 3 11/42000M 4 11/42000M 5 11/42000M 6 11/42000M 7 11/42000M 9 11/42000M 10 11/42000M 10	Pat Orsaia Pat Orsaia some medical testing. And I think at that point, Ms. Newmark told me that Cathy had spoken to her In regard to this request, in regards to the fact that she had already had some unplanned time off, and that I believe it had been communicated according to Ms. Newmark to her, by Cathy Magone at that point, that the time off she was requesting for the medical testing, was not approved. And that at some point I'm not
1130500M 2 1130500M 5 114000M 6 114000M 6 114000M 9 115000M 11	Pet Orsala be to have Nicole assigned to the palliative-care project. Cathy shared that with me. Q. Did Maura DelBene supervise Ms. Newmark? A. She did not. Q. Did she have any role in the social work department? A. She would, in the course of her job duties, need to relate to people in the social work and case management department, as they might be — as they might have some	11/42000M 3 11/42000M 4 11/42200M 5 11/42200M 6 11/42200M 9 11/42000M 10 11/42000M 11	Pat Orsaia Pat Orsaia some medical testing. And I think at that point, Ms. Newmark told me that Cathy had spoken to her In regard to this request, in regards to the fact that she had already had some unplanned time off, and that I believe it had been communicated— according to Ms. Newmark—to her, by Cathy Magone at that point, that the time off she was requesting for the medical testing, was not approved. And that at some point—I'm not sure if in this same conversation—Carole told
113050AM 2 113050AM 4 11400AM 5 11400AM 6 11400AM 7 11400AM 10 11400AM 10 11400AM 10 11400AM 11	be to have Nicole assigned to the palliative-care project. Cathy shared that with me. Q. Did Maura DelBene supervise Ms. Newmark? A. She did not. Q. Did she have any role in the social work department? A. She would, in the course of her job duties, need to relate to people in the social work and case management department, as they might be — as they might have some responsibilities to a case she was — she might	11/420NAM 3 11/420NAM 4 11/422NAM 5 11/422NAM 6 11/422NAM 7 11/422NAM 10 11/422NAM 10 11/422NAM 12 11/420NAM 12 11/420NAM 12	Pat Orsaia Pat Orsaia some medical testing. And I think at that point, Ms. Newmark told me that Cathy had spoken to her In regard to this request, in regards to the fact that she had already had some unplanned time off, and that I believe it had been communicated according to Ms. Newmark to her, by Cathy Magone at that point, that the time off she was requesting for the medical testing, was not approved. And that at some point I'm not sure if in this same conversation Carole told me then Cathy had reconsidered and it was
1130500M 2 1130500M 5 1130500M 5 1140500M 6 1140500M 7 1140500M 10 1140500M 11 1140500M 11 1140500M 11	be to have Nicole assigned to the palliative-care project. Cathy shared that with me. Q. Did Maura DelBene supervise Ms. Newmark? A. She did not. Q. Did she have any role in the social work department? A. She would, in the course of her job duties, need to relate to people in the social work and case management department, as they might be as they might have some responsibilities to a case she was she might already be involved in.	11/42000 3 11/42200 5 11/42200 6 11/42200 7 11/42200 8 11/42200 10 11/42200 10 11/42200 10 11/42200 11 11/42200 12	Pat Orsaia Pat Orsaia some medical testing. And I think at that point, Ms. Newmark told me that Cathy had spoken to her In regard to this request, in regards to the fact that she had already had some unplanned time off, and that I believe it had been communicated— according to Ms. Newmark—to her, by Cathy Magone at that point, that the time off she was requesting for the medical testing, was not approved. And that at some point—I'm not sure if in this same conversation—Carole told me then Cathy had reconsidered and it was approved, or if that happened later on.
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113055555 2 11305555 2 11305555 4 114055555 6 114055555 1 114055555 1 114055555 2 114055555 2 11405555 2 11405555 2 11405555 2 11405555 2 1140555 2 1140555 2 1140555 2 1140555 2 1140555 2 1140555 2 1140555 2 1140555 2 1140555 2 114055 2 1140555 2 114055 2 11	Pat Orsala be to have Nicole assigned to the palliative-care project. Cathy shared that with me. Q. Did Maura DelBene supervise Ms. Newmark? A. She did not. Q. Did she have any role in the social work department? A. She would, in the course of her job duties, need to relate to people in the social work and case management department, as they might be as they might have some responsibilities to a case she was she might already be involved in. Q. Did you receive any communications from her concerning Ms. Newmark? A. From Ms. DelBene? Q. Yes. A. No. Q. What about Ms. O'Hare? Did you receive any communications from her concerning Carole Newmark? A. No.	11/42000 3 11/42000 4 11/42000 5 11/42000 6 11/42000 9 11/42000 10 11/42000 10 11/42000 12 11/42000 12 11/42000 15 11/42000 15 11/42000 15 11/42000 15 11/42000 15 11/42000 19 11/42200 19 11/42200 22 11/42200 22 11/42200 22	Pat Orsaia some medical testing. And I think at that point, Ms. Newmark told me that Cathy had spoken to her In regard to this request, in regards to the fact that she had already had some unplanned time off, and that I believe it had been communicated according to Ms. Newmark to her, by Cathy Magone at that point, that the time off she was requesting for the medical testing, was not approved. And that at some point I'm not sure if in this same conversation Carole told me then Cathy had reconsidered and it was approved, or if that happened later on. Q. Do you know when that occurred? A. No, I don't. Q. Was it around the time of September 12, 2006? A. I don't know exactly. Q. Do you know whether it was before or after withdrawn. Getting back to your communication with Ms. Magone, what did she say to you were her

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	Case 7:07-cv-02861-CS Dogument	21-5	Filed 09/02/2008 Page 46 of 53 71
1	7 41 0/34/4	1	1 Pat Orsaia
11-03-8km Z	The state of the s	17:00 <u>23</u> 244	2 explaining to you why she had not selected
H 44 COMM 3	Parameter date broject, that alse had dorfelt	11-(P-SEA)	3 Ms. Newmark?
.arr 4		1597-0344	4 A. I don't know exactly when that took
м 5	Q. I don't mean to interrupt you. Was	14:07,09404	5 place. I do know at some point Cathy Magone, as
1140/00/40 (this the conversation you relayed during your	-19:47:19:244	6 department leader, shared with me that she had
11443444 7	The same are continued and the felt	13:47/5(CAN)	7 performance and attendance concerns with
12463BM 8	you expressed to Ms. Magone what Ms. Newmark had	1947 7 17 49 1	8 Ms. Newmark.
тими 9	told you about the age-related comments, or was	11.67:18AM	9 We discussed that Ms. Newmark was
11962БУА 10	this at some other point?	титаны 10	_
114631M4 11	 A. It was during that conversation. 	15072444 7	
11:400w 12	Q. Okay. I'm not going to rehash it,	110172744 1	_
11000000 13	unless you haven't told me something about that	1947-30AM 1	
пенамі 14	conversation.	Iriasaa 14	
пизам 15	A. I believe I have told you what I	11,1754mm 15	
119430AH 16	recall about it.	11.97.57AU 16	There are controlled about
17 mark	Q. There was a second communication.	11:51:01AH 17	the state of the s
11.49 HAM 18	You relayed to me that you that Ms. Magone	11:major 18	
_В ины 19	expressed some concern about performance and	11:460044 15	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
11445PM 20	unplanned absences on the part of Ms. Newmark	1140,00 At 20	
1111KW 21	after that. And you said it was sometime between	1140,0044 25	well,
11/6/02Aw 22	September 12th, and the meeting with the three of		and the security of the securi
11:05:05AL 23	you - Ms. Newmark, Ms. Magone and yourself?	11-11-12AL 22	me, or impression absence, in a rouning,
тин 24	A. Yes. To the best of my recall, at	190bpan 23	the state the state of the stat
11461ны 25	the time that Carole and Cathy and I met, the	31 433M 24	
	COMPU-TRAN SHORTHAND REPORTING	15400/жи 25	The one time type communicated
		 _	COMPU-TRAN SHORTHAND REPORTING
1	70 Pat Orsaia		72
1 ::	Pat Orsaia	1	Pat Orsaia
	Pat Orsaia three of us, I already had some sense of a	113.41222484 2	Pat Orsaia with Ms. Magone, how many had Ms. Newmark had?
11/88@ZAM 3	Pat Orsaia three of us, I already had some sense of a concern about attendance and performance prior to	11-раздару 3	Pat Orsaia with Ms. Magone, how many had Ms. Newmark had? A. Four.
11/85/254M 4	Pat Orsaia three of us, I already had some sense of a concern about attendance and performance prior to that meeting. I don't know exactly when I became	11-mayor 3	Pat Orsaia with Ms. Magone, how many had Ms. Newmark had? A. Four. Q. Do you know whether the last absence
11/45/25AM 4 11/45/25AM 5	Pat Orsaia three of us, I already had some sense of a concern about attendance and performance prior to that meeting. I don't know exactly when I became aware of it.	11-18-25-04 4 25-48-27-04 4 11-48-20-04 5	Pat Orsaia with Ms. Magone, how many had Ms. Newmark had? A. Four. Q. Do you know whether the last absence was, in fact, planned or unplanned?
11/45/25AM 4 11/45/25AM 5 11/45/25AM 6	Pat Orsaia three of us, I already had some sense of a concern about attendance and performance prior to that meeting. I don't know exactly when I became aware of it. Q. You had some sense.	11-12-20-0 3 25-42-20-0 4 11-42-20-0 5	Pat Orsaia with Ms. Magone, how many had Ms. Newmark had? A. Four. Q. Do you know whether the last absence was, in fact, planned or unplanned? A. I don't know.
11-45-25AM 4 11-45-25AM 5 11-45-26AM 6 11-45-27AM 7	Pat Orsaia three of us, I already had some sense of a concern about attendance and performance prior to that meeting. I don't know exactly when I became aware of it. Q. You had some sense. Did you meet with Ms. Magone about	11-18-2564 4 11-18-2644 5 11-18-2644 6 11-18-2744 7	with Ms. Magone, how many had Ms. Newmark had? A. Four. Q. Do you know whether the last absence was, in fact, planned or unplanned? A. I don't know. Q. You indicated previously that there
11-452544 4 11-452544 5 11-452544 5 11-452644 6 11-452644 7 7	Pat Orsaia three of us, I already had some sense of a concern about attendance and performance prior to that meeting. I don't know exactly when I became aware of it. Q. You had some sense, Did you meet with Ms. Magone about this?	11-18-2544 4 11-18-2044 5 11-18-2044 6 11-18-2744 7 11-18-2744 8	with Ms. Magone, how many had Ms. Newmark had? A. Four. Q. Do you know whether the last absence was, in fact, planned or unplanned? A. I don't know. Q. You indicated previously that there was an issue of a doctor's procedure that
11-652604 4 11-652604 5 11-652604 6 11-652604 6 11-632604 8	three of us, I already had some sense of a concern about attendance and performance prior to that meeting. I don't know exactly when I became aware of it. Q. You had some sense. Did you meet with Ms. Magone about this? A. Well, as I have stated, I believe it	11-162300 3 21-162200 4 11-162300 6 11-162300 7 11-162300 8 11-162300 8	with Ms. Magone, how many had Ms. Newmark had? A. Four. Q. Do you know whether the last absence was, in fact, planned or unplanned? A. I don't know. Q. You indicated previously that there was an issue of a doctor's procedure that Ms. Newmark had gone to you about because
111452844 4 111452844 5 111452844 5 111452844 6 111452844 7 111452844 9 111454844 9	three of us, I already had some sense of a concern about attendance and performance prior to that meeting. I don't know exactly when I became aware of it. Q. You had some sense. Did you meet with Ms. Magone about this? A. Well, as I have stated, I believe it was Carole Newmark, herself, who first brought up	11-002569 3 25-023766 4 11-023769 5 11-023760 7 11-023760 7 11-023760 8 11-02-0460 9 11-02-0460 10	with Ms. Magone, how many had Ms. Newmark had? A. Four. Q. Do you know whether the last absence was, in fact, planned or unplanned? A. I don't know. Q. You indicated previously that there was an issue of a doctor's procedure that Ms. Newmark had gone to you about because Ms. Magone had initially denied her request?
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	Case 7:07-cv-02861-CS Document	21-5	Filed 09/02/2008 Page 47 of 53
1			75
		1	Pat Orsaia
-	was granted, it was a planned absence; is that correct?	11511/444 2	saying to you.
1149:38A4 3	A. Yes; if she made the request in a	1951-044 3	So, prior to September 28th, 2006,
11. 5	•	1131:44 4	did Ms. Magone ever advise you, in words or
	communicated to her, that would be considered a	113135W2 5	substance, that she was going to recommend
7	planned absence, and she would use her paid time	11 51:25/W B	Ms. Newmark's termination?
11.48.45AN /	off appropriately for it.	11;81;59AH /	A. She told me that was a possibility,
,	Q. What do you mean by "timely"?	11-25 û YM 8	yes.
11/854 10	A. Well, depending on what the	1152000 9	Q. She did, okay.
11.00 mm 11	departmental process was, and I'm not I don't	115255Au 11	When did she tell you it was a
10000AU 12	know that for every single department at the	115255AN 17	possibility?
1159,0244 13	hospital.	4	A. I can't say an exact date; I don't
11300044 14	Q. So, it could vary from department to	.,	recall.
120004 15	department? There is not a unified rule as to	1142474 14	Q. Did you reduce it in writing
16 mary 16	how much time you need to advise someone of an	15 1682:10304	anywhere? A. No.
1340.10W 17	absence?	1 4-	
1150.50 18	A. Most departments had a written	40	Q. Why not? A. It would not be something that is
11301144 19	process through which you would fill out a form	1152:16AH 18	A. It would not be something that is required, nor was it my practice to do so.
1150104 20	for requested time off. The employee would	1127144 20	Q. You didn't reduce the fact that
:150.22m 21	submit that for the appropriate approval. The	1152 20Ai 2.0	Ms. Newmark complained to you about ageism in
1130,554 22	manager would - or supervisor/manager/director,	115220 22	writing; right?
11502000 23	whoever was responsible to consider those	1150-25AM 23	A. I have already answered that
1150,51AM 24	requests, would look at the written request,	11512/M 24	question.
1150pm 25	compare that against staffing, compare it against	11522MM 25	Q. Is that right?
	COMPU-TRAN SHORTHAND REPORTING		COMPU-TRAN SHORTHAND REPORTING
	74		
- <u> </u>		1	76
1	74	1 11452444 2	76. Pat Orsaia
1 21303344 2 17604346 3	74 Pat Orsaia	ـَــا	76. Pat Orsaia
	74 Pat Orsaia whatever business-need criteria there might be,	ndeživi Z	76: Pat Orsaia A. I did not reduce it in writing. Q. You didn't reduce the fact that once
тубочам З	74 Pat Orsaia whatever business-need criteria there might be, then communicate back to the employee whether or	1152:RAM 3	Pat Orsaia A. I did not reduce it in writing. Q. You didn't reduce the fact that once you explained to Ms. Newmark about Ms. Magone's
175041AM 3	74 Pat Orsaia whatever business-need criteria there might be, then communicate back to the employee whether or not the day or days had been approved.	11527AM 3	76: Pat Orsaia A. I did not reduce it in writing. Q. You didn't reduce the fact that once
1750/41AM 3 1750/42AM 4 1750/45AM 5	Pat Orsaia Pat Orsaia whatever business-need criteria there might be, then communicate back to the employee whether or not the day or days had been approved. Q. Prior to the meeting with	11-32-364 2 11-32-364 4 11-32-364 5	Pat Orsaia A. I did not reduce it in writing. Q. You didn't reduce the fact that once you explained to Ms. Newmark about Ms. Magone's explanation of her use of the word "young," that
1750-47AM 3 1750-42AM 4 1750-42AM 5 1750-47AM 6	Pat Orsaia Whatever business-need criteria there might be, then communicate back to the employee whether or not the day or days had been approved. Q. Prior to the meeting with Ms. Newmark, and Ms. Magone, on September 28th,	11-52-5644 2 11-52-5644 4 11-52-5644 5 11-52-5644 6	Pat Orsaia A. I did not reduce it in writing. Q. You didn't reduce the fact that once you explained to Ms. Newmark about Ms. Magone's explanation of her use of the word "young," that she was not satisfied; did you?
1750-47AM 3 1750-42AM 4 1750-42AM 5 1750-47AM 6 1750-47AM 7	Pat Orsaia whatever business-need criteria there might be, then communicate back to the employee whether or not the day or days had been approved. Q. Prior to the meeting with Ms. Newmark, and Ms. Magone, on September 28th, 2006, was there any discussion about terminating	1152-2004 4 1152-2004 4 1152-2004 5 1152-2004 6	Pat Orsaia A. I did not reduce it in writing. Q. You didn't reduce the fact that once you explained to Ms. Newmark about Ms. Magone's explanation of her use of the word "young," that she was not satisfied; did you? A. No. I communicated it to the
11:50:4244 4 11:50:4244 5 11:50:4244 7 11:50:4244 7 11:50:4244 7 11:50:4244 8	Pat Orsaia whatever business-need criteria there might be, then communicate back to the employee whether or not the day or days had been approved. Q. Prior to the meeting with Ms. Newmark, and Ms. Magone, on September 28th, 2006, was there any discussion about terminating Ms. Newmark's employment?	1132344 2 1132344 4 1132344 5 1132444 6 1132444 7	Pat Orsaia A. I did not reduce it in writing. Q. You didn't reduce the fact that once you explained to Ms. Newmark about Ms. Magone's explanation of her use of the word "young," that she was not satisfied; did you? A. No. I communicated it to the appropriate people that were involved in the
1100-41AM 3 1130-41AM 4 1130-41AM 5 1130-41AM 6 1130-41AM 8 1131-004AM 9 1131-004AM 10 1131-004AM 11	Pat Orsaia whatever business-need criteria there might be, then communicate back to the employee whether or not the day or days had been approved. Q. Prior to the meeting with Ms. Newmark, and Ms. Magone, on September 28th, 2006, was there any discussion about terminating Ms. Newmark's employment? A. Prior to the discussion on September 28th? Q. Yes.	11323444 2 11323444 4 11323444 5 11323444 7 11323444 7 11323444 7	Pat Orsaia A. I did not reduce it in writing. Q. You didn't reduce the fact that once you explained to Ms. Newmark about Ms. Magone's explanation of her use of the word "young," that she was not satisfied; did you? A. No. I communicated it to the appropriate people that were involved in the discussion then and going forward.
1150041AM 3 1150041AM 4 1150041AM 5 1150041AM 7 1150041AM 9 115104AM 10 115104AM 11	Pat Orsaia whatever business-need criteria there might be, then communicate back to the employee whether or not the day or days had been approved. Q. Prior to the meeting with Ms. Newmark, and Ms. Magone, on September 28th, 2006, was there any discussion about terminating Ms. Newmark's employment? A. Prior to the discussion on September 28th? Q. Yes. A. No.	11522044 2 11522044 4 11522044 5 1152404 6 1152404 7 1152404 8 1152414 9 11525144 10	Pat Orsaia A. I did not reduce it in writing. Q. You didn't reduce the fact that once you explained to Ms. Newmark about Ms. Magone's explanation of her use of the word "young," that she was not satisfied; did you? A. No. I communicated it to the appropriate people that were involved in the discussion then and going forward. Q. Did you ever communicate what was
1100-41AM 3 1130-41AM 4 1130-41AM 5 1130-41AM 6 1130-41AM 8 1131-004AM 9 1131-004AM 10 1131-004AM 11	Pat Orsaia whatever business-need criteria there might be, then communicate back to the employee whether or not the day or days had been approved. Q. Prior to the meeting with Ms. Newmark, and Ms. Magone, on September 28th, 2006, was there any discussion about terminating Ms. Newmark's employment? A. Prior to the discussion on September 28th? Q. Yes. A. No. Q. Did Ms. Magone ever tell you that	11525044 2 11525044 4 11525044 5 11525044 6 11525044 7 11525044 7 11525044 10 11525044 10	Pat Orsaia A. I did not reduce it in writing. Q. You didn't reduce the fact that once you explained to Ms. Newmark about Ms. Magone's explanation of her use of the word "young," that she was not satisfied; did you? A. No. I communicated it to the appropriate people that were involved in the discussion then and going forward. Q. Did you ever communicate what was happening to your supervisors?
1100-41AM 3 1130-41AM 4 1130-41AM 5 1130-41AM 6 1130-41AM 8 1131-02AM 9 1131-02AM 11 12 1131-02AM 11 12 1131-02AM 13 1131-03AM 14	Pat Orsaia whatever business-need criteria there might be, then communicate back to the employee whether or not the day or days had been approved. Q. Prior to the meeting with Ms. Newmark, and Ms. Magone, on September 28th, 2006, was there any discussion about terminating Ms. Newmark's employment? A. Prior to the discussion on September 28th? Q. Yes. A. No. Q. Did Ms. Magone ever tell you that she was seeking to terminate Ms. Newmark's	11323444 2 11323444 4 11323444 5 11324444 7 11324444 7 11324444 10 11324444 11 11324444 11 11324444 11	Pat Orsaia A. I did not reduce it in writing. Q. You didn't reduce the fact that once you explained to Ms. Newmark about Ms. Magone's explanation of her use of the word "young," that she was not satisfied; did you? A. No. I communicated it to the appropriate people that were involved in the discussion then and going forward. Q. Did you ever communicate what was happening to your supervisors? A. I may have; I don't recall.
1190 4184 3 1190 4284 4 1190 4284 5 1190 4284 6 1190 4284 9 1191 5284 10 1191 5284 11 1191 5284	Pat Orsaia whatever business-need criteria there might be, then communicate back to the employee whether or not the day or days had been approved. Q. Prior to the meeting with Ms. Newmark, and Ms. Magone, on September 28th, 2006, was there any discussion about terminating Ms. Newmark's employment? A. Prior to the discussion on September 28th? Q. Yes. A. No. Q. Did Ms. Magone ever tell you that she was seeking to terminate Ms. Newmark's employment prior to September 28th?	11522044 2 1152244 4 1152244 5 1152444 6 1152444 7 1152444 7 1152544 10 1152544 10 1152544 11 1152544 12 1152544 12	Pat Orsaia A. I did not reduce it in writing. Q. You didn't reduce the fact that once you explained to Ms. Newmark about Ms. Magone's explanation of her use of the word "young," that she was not satisfied; did you? A. No. I communicated it to the appropriate people that were involved in the discussion then and going forward. Q. Did you ever communicate what was happening to your supervisors? A. I may have; I don't recall. Q. Did you?
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1100-018M 3 1130-018M 4 1130-018M 5 1130-018M 7 1130-018M 9 1131-028M 10 1131-028M 11 12 1131-028M 11 12 1131-028M 13 1131-028M 14 1131-028M 15 1131-028M 16 1131-028M 16	Pat Orsaia whatever business-need criteria there might be, then communicate back to the employee whether or not the day or days had been approved. Q. Prior to the meeting with Ms. Newmark, and Ms. Magone, on September 28th, 2006, was there any discussion about terminating Ms. Newmark's employment? A. Prior to the discussion on September 28th? Q. Yes. A. No. Q. Did Ms. Magone ever tell you that she was seeking to terminate Ms. Newmark's employment prior to September 28th? A. Ms. Magone told me that there were attendance and performance concerns, that	11323044 2 11323044 4 11323044 5 1132444 6 1132444 7 1132444 10 1132444 11 1132444 11 1132444 12 1132444 14 1132444 14	Pat Orsaia A. I did not reduce it in writing. Q. You didn't reduce the fact that once you explained to Ms. Newmark about Ms. Magone's explanation of her use of the word "young," that she was not satisfied; did you? A. No. I communicated it to the appropriate people that were involved in the discussion then and going forward. Q. Did you ever communicate what was happening to your supervisors? A. I may have; I don't recall. Q. Did you? A. I don't know for sure. Q. Who is your direct supervisor? A. Deborah Gogliettino. Q. And what is her position?
1150 4144 3 1150 4244 4 1150 4244 5 1150 4244 5 1150 4244 7 1150 4244 9 1150 4244 10 1151 2244 11 12 1151 2244 14 1151 2244 15 1151 2244 15 1151 2244 15 1151 2244 15 1151 2244 15 1151 2244 15 1151 2244 15 1151 2244 15	Pat Orsaia whatever business-need criteria there might be, then communicate back to the employee whether or not the day or days had been approved. Q. Prior to the meeting with Ms. Newmark, and Ms. Magone, on September 28th, 2006, was there any discussion about terminating Ms. Newmark's employment? A. Prior to the discussion on September 28th? Q. Yes. A. No. Q. Did Ms. Magone ever tell you that she was seeking to terminate Ms. Newmark's employment prior to September 28th? A. Ms. Magone told me that there were attendance and performance concerns, that Ms. Newmark was in her probationary period. And	11323444 2 11323444 4 11323444 5 1132444 6 1132444 7 1132444 10 1132444 11 11334444 11 1134444 11 1134444 11 11344444 11 11344444 11 1134444 11 1134444 11 1134444 11 1134444 11 1134444 11 11344444 11 1134444 11 1134444 11 1134444 11 1134444 11 1134444 11 1134444 11 1134444 11 1134444 11 1134444 11 1134444 11 11344444 11 1134444 11 1134444 11 1134444 11 1134444 11 1134444 11 11344444	Pat Orsaia A. I did not reduce it in writing. Q. You didn't reduce the fact that once you explained to Ms. Newmark about Ms. Magone's explanation of her use of the word "young," that she was not satisfied; did you? A. No. I communicated it to the appropriate people that were involved in the discussion then and going forward. Q. Did you ever communicate what was happening to your supervisors? A. I may have; I don't recall. Q. Did you? A. I don't know for sure. Q. Who is your direct supervisor? A. Deborah Gogliettino. Q. And what is her position? A. She was, at that time, vice-
1100 tilm 3 1100 tilm 5 1100 tilm 5 1100 tilm 7 1100 tilm 9 1101 tilm 10 1101 tilm 10 1101 tilm 11 12 1101 tilm 11 12 1101 tilm 11 12 1101 tilm 11 10 10 10 10 10 10 10 10 10 10 10 10 1	Pat Orsaia whatever business-need criteria there might be, then communicate back to the employee whether or not the day or days had been approved. Q. Prior to the meeting with Ms. Newmark, and Ms. Magone, on September 28th, 2006, was there any discussion about terminating Ms. Newmark's employment? A. Prior to the discussion on September 28th? Q. Yes. A. No. Q. Did Ms. Magone ever tell you that she was seeking to terminate Ms. Newmark's employment prior to September 28th? A. Ms. Magone told me that there were attendance and performance concerns, that Ms. Newmark was in her probationary period. And she may have said to me, I'm not sure this is	11323644 2 11323644 4 11323644 5 11324644 6 11324644 7 11324644 10 11324644 11 11323644 12 11323644 14 11323644 15 11323644 15 11323644 15 11323644 17 11323644 17 11323644 18 11323644 18	Pat Orsaia A. I did not reduce it in writing. Q. You didn't reduce the fact that once you explained to Ms. Newmark about Ms. Magone's explanation of her use of the word "young," that she was not satisfied; did you? A. No. I communicated it to the appropriate people that were involved in the discussion then and going forward. Q. Did you ever communicate what was happening to your supervisors? A. I may have; I don't recall. Q. Did you? A. I don't know for sure. Q. Who is your direct supervisor? A. Deborah Gogliettino. Q. And what is her position? A. She was, at that time, vice- president of human resources.
1150-4184 3 1150-4184 4 1150-4184 5 1150-4184 5 1150-4184 7 1150-4184 10 1151-5184 10 1151-5184 14 1151-5184 15 1151-5184 15 1151-5184 15 1151-5184 15 1151-5184 15 1151-5184 15 1151-5184 15 1151-5184 15 1151-5184 15 1151-5184 15 1151-5184 15 1151-5184 15 1151-5184 15 1151-5184 15	Pat Orsaia whatever business-need criteria there might be, then communicate back to the employee whether or not the day or days had been approved. Q. Prior to the meeting with Ms. Newmark, and Ms. Magone, on September 28th, 2006, was there any discussion about terminating Ms. Newmark's employment? A. Prior to the discussion on September 28th? Q. Yes. A. No. Q. Did Ms. Magone ever tell you that she was seeking to terminate Ms. Newmark's employment prior to September 28th? A. Ms. Magone told me that there were attendance and performance concerns, that Ms. Newmark was in her probationary period. And she may have said to me, I'm not sure this is going to work out.	11323444 2 11323444 4 11323444 5 11323444 6 11323444 10 11323444 10 11323444 11 11323444 11 11323444 13 11323444 15 11323444 15 11323444 15 11323444 15 11323444 17 11323444 17 11323444 17 11323444 17 11323444 17 11323444 17 11323444 17 11323444 17 11323444 17 11323444 17 11323444 17 11323444 17 11323444 17 11323444 17	Pat Orsaia A. I did not reduce it in writing. Q. You didn't reduce the fact that once you explained to Ms. Newmark about Ms. Magone's explanation of her use of the word "young," that she was not satisfied; did you? A. No. I communicated it to the appropriate people that were involved in the discussion then and going forward. Q. Did you ever communicate what was happening to your supervisors? A. I may have; I don't recall. Q. Did you? A. I don't know for sure. Q. Who is your direct supervisor? A. Deborah Gogliettino. Q. And what is her position? A. She was, at that time, vice- president of human resources. Q. Is she still there?
1190 4184 3 1190 4284 4 1190 4284 5 1190 4284 7 1190 4284 9 1190 4284 9 1191 5284 10 1191 5284 11 1191 5284 1	Pat Orsaia whatever business-need criteria there might be, then communicate back to the employee whether or not the day or days had been approved. Q. Prior to the meeting with Ms. Newmark, and Ms. Magone, on September 28th, 2006, was there any discussion about terminating Ms. Newmark's employment? A. Prior to the discussion on September 28th? Q. Yes. A. No. Q. Did Ms. Magone ever tell you that she was seeking to terminate Ms, Newmark's employment prior to September 28th? A. Ms. Magone told me that there were attendance and performance concerns, that Ms. Newmark was in her probationary period. And she may have said to me, I'm not sure this is going to work out. Q. I'm not asking —	11323444 4 11323444 5 1132444 6 1132444 6 1132444 10 1132444 11 1132444 11 1132444 11 1132444 14 1132444 15 1132444 15 1132444 15 1132444 17 113244 17 11324 17 11324 17 11324 17 11324 17 11324 17 11324 17 11324 17 11324 17 11324 17 11324 17 11	Pat Orsaia A. I did not reduce it in writing. Q. You didn't reduce the fact that once you explained to Ms. Newmark about Ms. Magone's explanation of her use of the word "young," that she was not satisfied; did you? A. No. I communicated it to the appropriate people that were involved in the discussion then and going forward. Q. Did you ever communicate what was happening to your supervisors? A. I may have; I don't recall. Q. Did you? A. I don't know for sure. Q. Who is your direct supervisor? A. Deborah Gogliettino. Q. And what is her position? A. She was, at that time, vice- president of human resources. Q. Is she still there? A. She is not.
1100 1244 4 1130 1244 5 1130 1244 6 1130 1244 9 1131 1244 10 1131 1244 11 1131 1244	Pat Orsaia whatever business-need criteria there might be, then communicate back to the employee whether or not the day or days had been approved. Q. Prior to the meeting with Ms. Newmark, and Ms. Magone, on September 28th, 2006, was there any discussion about terminating Ms. Newmark's employment? A. Prior to the discussion on September 28th? Q. Yes. A. No. Q. Did Ms. Magone ever tell you that she was seeking to terminate Ms. Newmark's employment prior to September 28th? A. Ms. Magone told me that there were attendance and performance concerns, that Ms. Newmark was in her probationary period. And she may have said to me, I'm not sure this is going to work out. Q. I'm not asking — MS. NICAJ: Move to strike	1132366 2 2 1132366 3 3 1232366 5 1132366 5 1132366 10 1132366	Pat Orsaia A. I did not reduce it in writing. Q. You didn't reduce the fact that once you explained to Ms. Newmark about Ms. Magone's explanation of her use of the word "young," that she was not satisfied; did you? A. No. I communicated it to the appropriate people that were involved in the discussion then and going forward. Q. Did you ever communicate what was happening to your supervisors? A. I may have; I don't recall. Q. Did you? A. I don't know for sure. Q. Who is your direct supervisor? A. Deborah Gogliettino. Q. And what is her position? A. She was, at that time, vice- president of human resources. Q. Is she still there? A. She is not. Q. Who assumed her position?
1100 01M 3 1100 01M 4 1100 01M 5 1100 01M 5 1100 01M 7	Pat Orsaia whatever business-need criteria there might be, then communicate back to the employee whether or not the day or days had been approved. Q. Prior to the meeting with Ms. Newmark, and Ms. Magone, on September 28th, 2006, was there any discussion about terminating Ms. Newmark's employment? A. Prior to the discussion on September 28th? Q. Yes. A. No. Q. Did Ms. Magone ever tell you that she was seeking to terminate Ms. Newmark's employment prior to September 28th? A. Ms. Magone told me that there were attendance and performance concerns, that Ms. Newmark was in her probationary period. And she may have said to me, I'm not sure this is going to work out. Q. I'm not asking — MS. NICAJ: Move to strike as non-responsive.	11323044 2 11323044 4 11323044 5 1132444 6 1132444 7 1132444 10 1132444 10 1132444 11 11323044 12 11323044 13 11323044 14 11323044 15 11323044 17 11323044 17 11323044 17 11323044 18 11323044 19 11323044 20 11323044 21 11323044 21 11323044 22 11323044 23	Pat Orsaia A. I did not reduce it in writing. Q. You didn't reduce the fact that once you explained to Ms. Newmark about Ms. Magone's explanation of her use of the word "young," that she was not satisfied; did you? A. No. I communicated it to the appropriate people that were involved in the discussion then and going forward. Q. Did you ever communicate what was happening to your supervisors? A. I may have; I don't recall. Q. Did you? A. I don't know for sure. Q. Who is your direct supervisor? A. Deborah Gogliettino. Q. And what is her position? A. She was, at that time, vice- president of human resources. Q. Is she still there? A. She is not. Q. Who assumed her position? A. Bob Greco.
1190-1244 3 1190-1244 5 1190-1244 5 1190-1244 9 1190-1244 10 1191-1244 11 12 1191-1244 14 1191-1244 15 1191-1244 15 1191-1244 17 1191-1244 17 1191-1244 17 1191-1244 19 1191-1244 20 1191-1244 21 1191-1244 21 1191-1244 21 1191-1244 21 1191-1244 21 1191-1244 21 1191-1244 21 1191-1244 21 1191-1244 21 1191-1244 21 1191-1244 21 1191-1244 21 1191-1244 21 1191-1244 23	Pat Orsaia whatever business-need criteria there might be, then communicate back to the employee whether or not the day or days had been approved. Q. Prior to the meeting with Ms. Newmark, and Ms. Magone, on September 28th, 2006, was there any discussion about terminating Ms. Newmark's employment? A. Prior to the discussion on September 28th? Q. Yes. A. No. Q. Did Ms. Magone ever tell you that she was seeking to terminate Ms. Newmark's employment prior to September 28th? A. Ms. Magone told me that there were attendance and performance concerns, that Ms. Newmark was in her probationary period. And she may have said to me, I'm not sure this is going to work out. Q. I'm not asking — MS. NICAJ: Move to strike as non-responsive. Q. I'm not asking you what she may have	11323044 2 11323044 5 11323044 5 11323044 6 11323044 10 11323044 11 11323044 11 11323044 12 11323044 14 11323044 15 11323044 15 11323044 15 11323044 17 11323044 17 11323044 17 11323044 17 11323044 17 11323044 17 11323044 18 11323044 18 11323044 18 11323044 18 11323044 18 11323044 18 11323044 20 11323044 21 11323044 21 11323044 21 11323044 21	Pat Orsaia A. I did not reduce it in writing. Q. You didn't reduce the fact that once you explained to Ms. Newmark about Ms. Magone's explanation of her use of the word "young," that she was not satisfied; did you? A. No. I communicated it to the appropriate people that were involved in the discussion then and going forward. Q. Did you ever communicate what was happening to your supervisors? A. I may have; I don't recall. Q. Did you? A. I don't know for sure. Q. Who is your direct supervisor? A. Deborah Gogliettino. Q. And what is her position? A. She was, at that time, vice-president of human resources. Q. Is she still there? A. She is not. Q. Who assumed her position? A. Bob Greco. Q. September 28th, 2006, there was a
1100 013M 3 1100 023M 4 1100 023M 5 1100 023M 7 1100 023M 9 1101 023M 10 1101 023M	Pat Orsaia whatever business-need criteria there might be, then communicate back to the employee whether or not the day or days had been approved. Q. Prior to the meeting with Ms. Newmark, and Ms. Magone, on September 28th, 2006, was there any discussion about terminating Ms. Newmark's employment? A. Prior to the discussion on September 28th? Q. Yes. A. No. Q. Did Ms. Magone ever tell you that she was seeking to terminate Ms. Newmark's employment prior to September 28th? A. Ms. Magone told me that there were attendance and performance concerns, that Ms. Newmark was in her probationary period. And she may have said to me, I'm not sure this is going to work out. Q. I'm not asking — MS. NICAJ: Move to strike as non-responsive.	11323044 2 11323044 4 11323044 5 1132444 6 1132444 7 1132444 10 1132444 10 1132444 11 11323044 12 11323044 13 11323044 14 11323044 15 11323044 17 11323044 17 11323044 17 11323044 18 11323044 19 11323044 20 11323044 21 11323044 21 11323044 22 11323044 23	Pat Orsaia A. I did not reduce it in writing. Q. You didn't reduce the fact that once you explained to Ms. Newmark about Ms. Magone's explanation of her use of the word "young," that she was not satisfied; did you? A. No. I communicated it to the appropriate people that were involved in the discussion then and going forward. Q. Did you ever communicate what was happening to your supervisors? A. I may have; I don't recall. Q. Did you? A. I don't know for sure. Q. Who is your direct supervisor? A. Deborah Gogliettino. Q. And what is her position? A. She was, at that time, vice- president of human resources. Q. Is she still there? A. She is not. Q. Who assumed her position? A. Bob Greco.

		. Case 7.07-cv-02861-CS — Doçumer	nt 21-5	Filed 09/02/2008 Page 48 of 53
1		Pat Orsaia		79 1 Pat Orsaia
лазыц. 2	Α.	Yes, there was a meeting.	115508AM	2 She reminded Carole that Carole had
11#355W 3	Q.	Where was it?	11:56:41AM	3 been assigned to the mental-health project, as it
ие 4	Α.	In my office.	i	4 was thought to be appropriate to her experience.
5	_	And present were Ms. Magone and	1	5 She advised Ms. Newmark that she had
11-13-2AA 6	Ms, Newm			
1150 MARK 7	Α.	Yes.		Second of input from Rosedine O Hale and
115355444 8	Q.	Anyone else?		the day of
1135mau 9	Ä.	Just the three of us.		to all bettinesse care biolecti
1134M2AH 10	Q.	Did you take any notes at this	_	partie in are conversation,
	meeting?	Did you take any notes at this	11572441 1	
40	A.	No. V did not	11197:3944 1	Partie Pa
		No, I did not.	1 (#7.35Au 1	The state of the s
1154 AMA 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4	Q.	Incidentally, did you ever take any	31929048 1	The same and the same and some
11:14/2004 14		down as to what Ms. Magone told you in	1157:47M 1	
наком 15		e her communication relating to the	панан 1	and the bay anything else at this
115417AN 16		f Nicole Serra?	1157:00AM 1	point? This is Ms. Magone.
17	Α.	No.	1158,0044 1	
1134.1644 18	Q.	Did you ever take any statements	1150;00AM 1	8 she had some attendance and performance concerns,
11362164 19		nnection with what Ms. Newmark told you	11de-1244 1	Ms. Newmark responded by saying that she would
пызы 20	pertaining	to Nicole Serra's selection?	115923AH 20	like to have detail about the performance
21	A.	No.	11:3k:27AH 2'	concerns.
119429AU 22	Q.	How long was the meeting?	nstaba 2	2 And Cathy Magone responded by
1156000 23	A.	Approximately, twenty to thirty	11:88:38## 23	telling her that that particular discussion, the
11:54 HAMA 24	minutes.		1125,7744 24	particular discussion we were having was for a
п ыцы 25	Q.	Do you recall who spoke first at the	11583802 25	
		COMPU-TRAN SHORTHAND REPORTING		COMPU-TRAN SHORTHAND REPORTING
		78		80
1		Pat Orsala	•	Pat Orsaia
100000 2	meeting?		1750villa	provide her with detail, and that would happen
11345444 3	A.	As I recall, I spoke first at the	11/31/33AH	during her performance evaluation discussion.
11550(AW 4	meeting.		11:51:413M. A	the state of the s
17.8619AM 5	Q.	What did you say?	1358.00AM	
113500AM 6	A.	I introduced the meeting by saying	11:51:53.04 E	
11 00.00.00 7	that tha	nking both of them for coming, and	VI-SISTAN	A. No.
11.55:12AM 8	saying tha	t we were there to try to address	11585PM. E	Q what did you understand that to
	Carole's c	oncerns and that we had all agreed that	11:50 EM	•
····· 10		est done probably in person. That is	1152 town 10	
11353144 11		nce of what I said.	114951AH 11	The state of the s
нали 12	Q.	What happened next?	115mm 12	
1155:may. 13	A.	As I recall, Cathy offered her	1150-10AM 13	
14 mar	explanatio	n to Carole of her use of the word	113673AH 14	
ı⊯⊪ı 15	"young."		1150 1444 15	-
150 market	Q.	What did Ms. Magone say?	1135 1144 15	The state of the s
17	A.	She said that she wanted to be clear	1050-00er 17	
18 Tangar		's age or Carole's age had nothing to	11252244 18	Q. Well, you mentioned that Ms. Magone was the one who raised the issue of performance:
19		r decision for the assignment of the	11.50.27AU 19	right?
150114H 20		care project. She said that she	11:50:20AM 12	-
134 HAN 21		role had taken her use of the word		A. She stated that she had attendance
22		it of context. And what she recalled	11593244 21	and performance concerns, yes,
22			1159394 22	Q. Isn't it fair to say that
19637AN 24		that Nicole was younger in her career;	11990AU 23	Ms. Newmark was just responding to what
155 27AM 🚄 🖰		ger to learn; was soaking things up	11#97# 24	Ms. Magone had herself raised, her director, as
25	1ika			
1983 <u>ia</u> m 25	like a spon	ge. COMPU-TRAN SHORTHAND REPORTING	11594144 25	you say? COMPU-TRAN SHORTHAND REPORTING

03/19/2008 09:48:33 AM

	Case 7:07-cv-02861-CS Decument	21-5	Filed 09/02/2008 - Page 50 of 53
1	Pat Orsaia	1	87.
12075FF 2	A. Also in number two, where Carole	2.102494 2	Pat Orsaia tantamount to saying that I'm old and are not
12015754 3	states "This was a surprise to me, as she has	13/11/2/РМ 3	able to absorb information as well," that is
12- 4	never brought up any work issues until our	majam 4	Carole's opinion. I'm not in a position to state
ւ 5	meeting yesterday," I can't say that that is	12:11:33Pis 5	whether or not it's a truth.
1200.00ma B	true.	12-11-58MM 6	MS. NICAJ: I'm going to
12:04:10PM 7	Q. Go ahead.	12:11:35PM 7	move to object on the basis it's
120620074 8	A. Once again, her final statement	12:71:28794 8	nonresponsive.
12002BPN 9	under number two that "She should not have to	12:11:40PM 9	Can you repeat my last question.
презуль 10	wait until my evaluation to hear what the work	10	(Question read)
12.0022594 11	issues are," I don't have firsthand knowledge of	яния 11	A. To the best of my recall, the first
₂₂₂₂ 12	what communication happened between Ms. Newmark	izmāimi 12	two sentences of Item number three are accurate.
1200/40% 13	and her director about the work issues.	12:17:06РЫ 13	Q. What else do you recall concerning
1100-45PW 14	Number three, where it says, "This	терми 14	the meeting?
1206-02PM 15	statement is tantamount to saying that I am old	12:13:14PM 15	A. Well, I recall that my impression,
1200-APM 16	and am not able to absorb information as well,"	12-12-100M 16	as I listened to the dialogue between Carole and
_{1249-чен} 17	I do not recall Cathy Magone saying that during	17:13mily 17	Cathy, was that Carole was fixated on Cathy's use
1200-420N 18	our meeting.	и льзян 18	of the word "young," that Carole was Carole
120M/09M 19	Q. Okay. Apart from, "This statement	пенням 19	remained visibly angry about Nicole's assignment
12200ASPIA 20	is tantamount to saying that I'm old and are not	12:13,60% 20	to the palliative-care project.
12.00 APRIL 21	able to absorb information as well," is	12-13-3MPM 21	Q. What do you recall being said at
22 m	everything else in paragraph three truthful?	пезаней 22	this meeting?
12:00-01:04 23	A. The final sentences in three, "Cathy	12:36:11Рм. 23	A. Being said by everyone at the
₁₂₀₁₆₇₂ 24	does not know what my capabilities are. She has	1201013PM 24	meeting?
12:1EEEF# 25	not taken the time to learn about who I am and	12:14:34(94) 25	Q. Yes.
<u> </u>	COMPU-TRAN SHORTHAND REPORTING		COMPU-TRAN SHORTHAND REPORTING
		<u> </u>	
4	86		88
1	Pat Orsaia	1	88 Pat Orsaia
т:южни 2	Pat Orsaia learn exactly what my strengths are," I don't	зананы 2	88 Pat Orsaia A. You're asking me to recount the
танованы 2 12-манны 3	Pat Orsala learn exactly what my strengths are," I don't know that that is true.	ээлилиям 2 таниями 3	88 Pat Orsaia A. You're asking me to recount the entire meeting again?
тановани 2 12-измени 3 па-(сотры 4	Pat Orsaia learn exactly what my strengths are," I don't know that that is true. Q. Okay. So, with respect to	запилиям: 2 папилиям: 3 папилиям: 4	88 Pat Orsaia A. You're asking me to recount the entire meeting again? Q. Apart from what you have already
танованы 2 12-манны 3	Pat Orsala learn exactly what my strengths are," I don't know that that is true. Q. Okay. So, with respect to paragraph three, the first two sentences — the	запилиями 2 перициями 3 чанириями 4 прициями 5	Pat Orsaia A. You're asking me to recount the entire meeting again? Q. Apart from what you have already said; this was the sum and substance of what you
12-10-00-00-0 4 12-10-00-00-0 5	Pat Orsala learn exactly what my strengths are," I don't know that that is true. Q. Okay. So, with respect to paragraph three, the first two sentences — the first three sentences are truthful?	12:14:14PM: 2 12:14:14PM: 3 12:14:14PM: 4 12:14:13PM: 5 12:14:13PM: 6	Pat Orsaia A. You're asking me to recount the entire meeting again? Q. Apart from what you have already said; this was the sum and substance of what you recall about this meeting?
12:10:02PM 2 12:10:02PM 4 12:10:04PM 5 12:10:14PM 6	Pat Orsaia learn exactly what my strengths are," I don't know that that is true. Q. Okay. So, with respect to paragraph three, the first two sentences — the first three sentences are truthful? A. Cathy did deny that she said that	зайчения 2 тапилини 3 чанирии 4 тапилини 5 тапилини 6 чанивий 7	Pat Orsaia A. You're asking me to recount the entire meeting again? Q. Apart from what you have already said; this was the sum and substance of what you recall about this meeting? A. Yes.
12:10:029M 2 12:10:029M 4 12:10:029M 5 12:10:MM 6 12:10:02M 7	Pat Orsala learn exactly what my strengths are," I don't know that that is true. Q. Okay. So, with respect to paragraph three, the first two sentences — the first three sentences are truthful?	22 12:14:14/98/96 4 12:14:13/96 4 12:14:13/96 6 12:14:13/96 7	Pat Orsaia A. You're asking me to recount the entire meeting again? Q. Apart from what you have already said; this was the sum and substance of what you recall about this meeting? A. Yes. Q. And when getting back to
12:10:22PM 2 12:10:22PM 4 12:10:24PM 5 12:10:24PM 6 12:10:22PM 8	Pat Orsaia learn exactly what my strengths are," I don't know that that is true. Q. Okay. So, with respect to paragraph three, the first two sentences — the first three sentences are truthful? A. Cathy did deny that she said that Nicole could handle the job better than Carole	2 12:14:14994 4 12:14:1994 5 12:14:2394 6 12:14:2394 6	Pat Orsaia A. You're asking me to recount the entire meeting again? Q. Apart from what you have already said; this was the sum and substance of what you recall about this meeting? A. Yes. Q. And when getting back to paragraph three, the second sentence states,
12.50.000 2 12.50.000 4 12.10.000 5 12.50.000 6 12.50.000 7 12.50.000 7 12.50.000 9	Pat Orsaia learn exactly what my strengths are," I don't know that that is true. Q. Okay. So, with respect to paragraph three, the first two sentences — the first three sentences are truthful? A. Cathy did deny that she said that Nicole could handle the job better than Carole could.	12:14:14PM 2 12:14:14PM 4 12:14:14PM 5 12:14:13PM 6 12:14:13PM 7 12:14:13PM 8 12:14:13PM 8	Pat Orsaia A. You're asking me to recount the entire meeting again? Q. Apart from what you have already said; this was the sum and substance of what you recall about this meeting? A. Yes. Q. And when getting back to paragraph three, the second sentence states, "She" referring to Ms. Magone, " stated that
12:10:22PM 2 12:10:22PM 4 12:10:22PM 5 12:10:22PM 7 12:10:22PM 8 12:10:22PM 10 12:10:22PM 10	Pat Orsaia learn exactly what my strengths are," I don't know that that is true. Q. Okay. So, with respect to paragraph three, the first two sentences — the first three sentences are truthful? A. Cathy did deny that she said that Nicole could handle the job better than Carole could. MR. KEIL: Is your answer	22 12:14:14/994 4 12:14:13/94 5 12:14:13/94 6 12:14:13/94 7 12:14:13/94 8 12:14:13/94 9 12:14:13/94 10	Pat Orsaia A. You're asking me to recount the entire meeting again? Q. Apart from what you have already said; this was the sum and substance of what you recall about this meeting? A. Yes. Q. And when getting back to paragraph three, the second sentence states,
12:10:22944 2 12:10:24944 5 12:10:24944 6 12:10:22944 7 12:10:2294 8 12:10:2394 10 12:10:2394 11 1	Pat Orsaia learn exactly what my strengths are," I don't know that that is true. Q. Okay. So, with respect to paragraph three, the first two sentences — the first three sentences are truthful? A. Cathy did deny that she said that Nicole could handle the job better than Carole could. MR. KEIL: Is your answer finished?	2011/01/04/04 2 12/01/04/04 4 12/01/04/04 6 12/01/04/04 8 12/04/04/04 10 12/04/04/04 10 12/04/04/04 11	Pat Orsaia A. You're asking me to recount the entire meeting again? Q. Apart from what you have already said; this was the sum and substance of what you recall about this meeting? A. Yes. Q. And when getting back to paragraph three, the second sentence states, "She" referring to Ms. Magone, " stated that she did say that Nicole was young and could take
12:10:200 2 12:10:200 4 12:10:200 5 12:10:200 7 12:10:200 9 12:10:200 11 12:10:200 11 12:10:200 12	Pat Orsaia learn exactly what my strengths are," I don't know that that is true. Q. Okay. So, with respect to paragraph three, the first two sentences — the first three sentences are truthful? A. Cathy did deny that she said that Nicole could handle the job better than Carole could. MR. KEIL: Is your answer finished? Q. Are the first three sentences — are	12:14:14PM 2 12:14:14PM 4 12:14:12PM 5 12:14:12PM 6 12:14:12PM 7 12:14:12PM 9 12:14:12PM 10 12:14:14PM 11 12:14:14PM 12	Pat Orsaia A. You're asking me to recount the entire meeting again? Q. Apart from what you have already said; this was the sum and substance of what you recall about this meeting? A. Yes. Q. And when getting back to paragraph three, the second sentence states, "She" referring to Ms. Magone, " stated that she did say that Nicole was young and could take things in like a sponge."
12.10/23/PM 2 12.10/23/PM 4 12.10/23/PM 5 12.10/23/PM 7 12.10/23/PM 10 12.10/23/PM 10 12.10/23/PM 11 12.10/23/PM 12 12.10/23/PM 12 12.10/23/PM 12 12.10/23/PM 12 12.10/23/PM 12 12.10/23/PM 13	Pat Orsaia learn exactly what my strengths are," I don't know that that is true. Q. Okay. So, with respect to paragraph three, the first two sentences — the first three sentences are truthful? A. Cathy did deny that she said that Nicole could handle the job better than Carole could. MR. KEIL: Is your answer finished? Q. Are the first three sentences — are the first two sentences in paragraph three.	22 12:14:14/99/4 4 12:14:19/94 5 12:14:23/94 6 12:14:23/94 6 12:14:23/94 8 12:14:23/94 10 12:14:43/94 11 12:14:43/94 12 12:14:53/94 12	Pat Orsaia A. You're asking me to recount the entire meeting again? Q. Apart from what you have already said; this was the sum and substance of what you recall about this meeting? A. Yes. Q. And when getting back to paragraph three, the second sentence states, "She" referring to Ms. Magone, " stated that she did say that Nicole was young and could take things in like a sponge." Do you see that?
12.10.2294 2 12.10.2294 4 12.10.2294 5 12.10.2294 7 12.10.2294 10 12.10.2294 11 12.10.2294 12 12.10.2294 12 12.10.2294 12 12.10.2294 12 12.10.2294 12 12.10.2294 13 12.10.2294 13	Pat Orsaia learn exactly what my strengths are," I don't know that that is true. Q. Okay. So, with respect to paragraph three, the first two sentences — the first three sentences are truthful? A. Cathy did deny that she said that Nicole could handle the job better than Carole could. MR. KEIL: Is your answer finished? Q. Are the first three sentences — are the first two sentences in paragraph three truthful; yes or no?	2014/14/99 2 12/14/14/99 4 4 12/14/14/99 6 12/14/34/99 8 12/14/34/99 10 12/14/34/99 10 12/14/34/99 11 12/14/34/99 12/14/34/99 12/14/34/99 11 12/14/34/99 12/14/34/99 12/14/34/99 11 12/14/34/99 12/14/99	Pat Orsaia A. You're asking me to recount the entire meeting again? Q. Apart from what you have already said; this was the sum and substance of what you recall about this meeting? A. Yes. Q. And when getting back to paragraph three, the second sentence states, "She" referring to Ms. Magone, " stated that she did say that Nicole was young and could take things in like a sponge." Do you see that? A. Yes.
12.10/22/PM 2 12.10/22/PM 4 12.11/23/PM 5 12.10/22/PM 7 12.10/22/PM 10 12.10/23/PM 10 12.10/23/PM 12 12.10/23/PM 12 12.10/23/PM 12 12.10/23/PM 13 12.10/23/PM 14	Pat Orsaia learn exactly what my strengths are," I don't know that that is true. Q. Okay. So, with respect to paragraph three, the first two sentences — the first three sentences are truthful? A. Cathy did deny that she said that Nicole could handle the job better than Carole could. MR. KEIL: Is your answer finished? Q. Are the first three sentences — are the first two sentences in paragraph three truthful; yes or no? MR. KEIL: Just take them	22 18:14/00/04 12:14/00/04 12:14/00/04 12:14/00/04 12:14/00/04 12:14/00/04 12:14/00/04 12:14/00/04 12:14/00/04 12:14/00/04 12:14/00/04 12:14/00/04 12:14/00/04 12:14/00/04 13:	Pat Orsaia A. You're asking me to recount the entire meeting again? Q. Apart from what you have already said; this was the sum and substance of what you recall about this meeting? A. Yes. Q. And when getting back to paragraph three, the second sentence states, "She" referring to Ms. Magone, " stated that she did say that Nicole was young and could take things in like a sponge." Do you see that? A. Yes. Q. That was truthful that Ms. Magone
12.10/20/20/20 4 12.10/20/20/20 5 12.10/20/20/20 7 12.10/20/20/20 10 12.10/20/20/20 10 12.10/20/20/20 10 12.10/20/20/20 11 12.10/20/20 11 12.10/20 11 12.10/20/20 11 12.10/20 11 12.10/20 11 12.10/20 11 12.10/20 11 12.10/20 11 12.10/20 11 12.10/20 11 12.10/20 11 12.10/20 11 12.10/20 11	Pat Orsaia learn exactly what my strengths are," I don't know that that is true. Q. Okay. So, with respect to paragraph three, the first two sentences — the first three sentences are truthful? A. Cathy did deny that she said that Nicole could handle the job better than Carole could. MR. KEIL: Is your answer finished? Q. Are the first three sentences — are the first two sentences in paragraph three truthful; yes or no? MR. KEIL: Just take them one at a time.	22 12:14:14/94 2 12:14:14/94 4 12:14:14/94 6 12:14:14/94 8 12:14:14/94 10 12:14:14/94 11 12:14:14/94 12 12:14:14/94 11 12:14:14/94 11 11 12:14:14/94 11 11 12:14:14/94 11 11 12:14:14/94 11 11 14:14/94/94 11 11 11 14:14/94/94 11 11 11 14:14/94/94 11 11 11 14:14/94/94 11 11 11 11 11 11 11 11 11 11 11 11 11	Pat Orsaia A. You're asking me to recount the entire meeting again? Q. Apart from what you have already said; this was the sum and substance of what you recall about this meeting? A. Yes. Q. And when getting back to paragraph three, the second sentence states, "She" referring to Ms. Magone, " stated that she did say that Nicole was young and could take things in like a sponge." Do you see that? A. Yes. Q. That was truthful that Ms. Magone said at that meeting that she did say Nicole
12:10:22PM 4 12:10:22PM 4 12:10:22PM 5 12:10:22PM 7 12:10:22PM 10 12:10:22PM 11 12:10:	learn exactly what my strengths are," I don't know that that is true. Q. Okay. So, with respect to paragraph three, the first two sentences — the first three sentences are truthful? A. Cathy did deny that she said that Nicole could handle the job better than Carole could. MR. KEIL: Is your answer finished? Q. Are the first three sentences — are the first two sentences in paragraph three truthful; yes or no? MR. KEIL: Just take them one at a time. MS. NICAI: I'll ask the questions. If you want to follow up with your witness, you can. You're more than	22 1814/1994	Pat Orsaia A. You're asking me to recount the entire meeting again? Q. Apart from what you have already said; this was the sum and substance of what you recall about this meeting? A. Yes. Q. And when getting back to paragraph three, the second sentence states, "She" referring to Ms. Magone, " stated that she did say that Nicole was young and could take things in like a sponge." Do you see that? A. Yes. Q. That was truthful that Ms. Magone said at that meeting that she did say Nicole was young and could take things in like a sponge?
12.10.00000 2 12.10.00000 5 12.10.00000 7 12.10.00000 10 12.10.00000 10 12.10.00000 11 12.10.00000 11 12.10.00000 11 12.10.00000 15 12.10.00000 15 12.10.00000 15 12.10.00000 17 12.10.00000 17 12.10.0000 17 12.10.0000 17 12.10.00000 17 12.10.00000 17 12.	learn exactly what my strengths are," I don't know that that is true. Q. Okay. So, with respect to paragraph three, the first two sentences — the first three sentences are truthful? A. Cathy did deny that she said that Nicole could handle the job better than Carole could. MR. KEIL: Is your answer finished? Q. Are the first three sentences — are the first two sentences in paragraph three truthful; yes or no? MR. KEIL: Just take them one at a time. MS. NICAJ: I'll ask the questions. If you want to follow up with	22 12:14:14/99 4 4 12:14:14/99 5 5 12:14:14/99 8 12:14:14/99 9 12:14:14/99 10 12:14:14/99 12:14:14/99 13 12:14:14/99 14 12:14:14/99 14 14 14:14/99 15 15 12:14:14/99 16 17 12:14:14/99 17 18	Pat Orsaia A. You're asking me to recount the entire meeting again? Q. Apart from what you have already said; this was the sum and substance of what you recall about this meeting? A. Yes. Q. And when getting back to paragraph three, the second sentence states, "She" referring to Ms. Magone, " stated that she did say that Nicole was young and could take things in like a sponge." Do you see that? A. Yes. Q. That was truthful that Ms. Magone said at that meeting that she did say Nicole was young and could take things in like a sponge? A. Cathy did say she had used the word
12:10:2294 4 12:16:2994 5 12:16:2994 6 12:16:2994 8 12:16:2994 10 12:10:2994 11 12:10:2994 12 12:10:2994 12 12:10:2994 15 12:10:2994 15 12:10:2994 16 12:10:2994 18 12:10:2994 18 12:10:2994 18 12:10:2994 18 12:10:2994 19 12:10:2994 19 12:10:2994 19 12:10:2994 19 12:10:2994 19 12:10:2994 19 12:10:2994 19 12:10:2994 19 12:10:2994 19 12:10:2994 20 12:10:	learn exactly what my strengths are," I don't know that that is true. Q. Okay. So, with respect to paragraph three, the first two sentences — the first three sentences are truthful? A. Cathy did deny that she said that Nicole could handle the job better than Carole could. MR. KEIL: Is your answer finished? Q. Are the first three sentences — are the first two sentences in paragraph three truthful; yes or no? MR. KEIL: Just take them one at a time. MS. NICAD: I'll ask the questions. If you want to follow up with your witness, you can. You're more than free to. MR. KEIL: I object to the	22 1814/19794 4 1214/19794 5 1214/19794 6 1214/19794 8 1214/19794 10 1214/19794 11 1214/19794 12 1214/19794 14 1214/19794 15 1214/19794 15 1214/19794 17 18 1214/19794 20 1215/19794 20 1215/19794 21	A. You're asking me to recount the entire meeting again? Q. Apart from what you have already said; this was the sum and substance of what you recall about this meeting? A. Yes. Q. And when getting back to paragraph three, the second sentence states, "She" referring to Ms. Magone, " stated that she did say that Nicole was young and could take things in like a sponge." Do you see that? A. Yes. Q. That was truthful that Ms. Magone said at that meeting that she did say Nicole was young and could take things in like a sponge? A. Cathy did say she had used the word "young" in her initial discussion with Carole. And I remember her saying that part of what she meant was that Nicole was eager to learn and
12:10:2004 2 12:20:2004 3 10:10:2004 5 10:10:2004 5 10:10:2004 10 10:10:2004 11 10:10:	learn exactly what my strengths are," I don't know that that is true. Q. Okay. So, with respect to paragraph three, the first two sentences — the first three sentences are truthful? A. Cathy did deny that she said that Nicole could handle the job better than Carole could. MR. KEIL: Is your answer finished? Q. Are the first three sentences — are the first two sentences in paragraph three truthful; yes or no? MR. KEIL: Just take them one at a time. MS. NICAJ: I'll ask the questions. If you want to follow up with your witness, you can. You're more than free to. MR. KEIL: I object to the form of the question as being compound.	22 12:14:14:14 2 12:14:14:14 5 12:14:14:14 6 12:14:14:14 10 12:14:14:14 10 12:14:14:14 11 12:14:14:14 11 12:14:14:14 11 12:14:14:14 11 12:14:14:14 11 12:14:14:14 11 11 12:14:14:14 11 11 12:14:14:14 11 11 12:14:14:14 11 11 11 11 11 11 11 11 11 11 11 11 1	Pat Orsaia A. You're asking me to recount the entire meeting again? Q. Apart from what you have already said; this was the sum and substance of what you recall about this meeting? A. Yes. Q. And when getting back to paragraph three, the second sentence states, "She" referring to Ms. Magone, " stated that she did say that Nicole was young and could take things in like a sponge." Do you see that? A. Yes. Q. That was truthful that Ms. Magone said at that meeting that she did say Nicole was young and could take things in like a sponge? A. Cathy did say she had used the word "young" in her initial discussion with Carole. And I remember her saying that part of what she
12.100.000 4 12.100.000 5 12.100.000 10 12.100.000 11 12.1	learn exactly what my strengths are," I don't know that that is true. Q. Okay. So, with respect to paragraph three, the first two sentences — the first three sentences are truthful? A. Cathy did deny that she said that Nicole could handle the job better than Carole could. MR. KEIL: Is your answer finished? Q. Are the first three sentences — are the first two sentences in paragraph three truthful; yes or no? MR. KEIL: Just take them one at a time. MS. NICAI: I'll ask the questions. If you want to follow up with your witness, you can. You're more than free to. MR. KEIL: I object to the form of the question as being compound. A. I have already stated that I don't —	12/14/14/14 2 11/14/14/14 11/14/14/14/14 11/14/14/14/14/14/14/14/14/14/14/14/14/1	A. You're asking me to recount the entire meeting again? Q. Apart from what you have already said; this was the sum and substance of what you recall about this meeting? A. Yes. Q. And when getting back to paragraph three, the second sentence states, "She" referring to Ms. Magone, " stated that she did say that Nicole was young and could take things in like a sponge." Do you see that? A. Yes. Q. That was truthful that Ms. Magone said at that meeting that she did say Nicole was young and could take things in like a sponge? A. Cathy did say she had used the word "young" in her initial discussion with Carole. And I remember her saying that part of what she meant was that Nicole was eager to learn and could take things in like a sponge. Q. Did Ms. Magone say what is contained
12:10:2294 4 12:10:2494 5 12:10:2494 6 12:10:2494 7 12:10:2494 10 12:10:2494 11 12:10:2494 12 12:10:2494 13 12:10:2494 14 13:10:2494 15 12:10:2494 18 12:10:2494 18 12:10:2494 18 12:10:2494 18 12:10:2494 18 12:10:2494 19 12:10:2494 19 12:10:2494 19 12:10:2494 19 12:10:2494 19 12:10:2494 19 12:10:2494 19 12:10:2494 20 12:11:10:244 20 12:11:10:144 20 12:11:10:144 20 12:11:10:144 20 12:11:10:144 20 12:11:10:144 20 12:11:10:144 20 12:11:10:144 20 12:11:10:144 20 12:11:10:144 20 12:11:114 20 12:114 20 1	learn exactly what my strengths are," I don't know that that is true. Q. Okay. So, with respect to paragraph three, the first two sentences — the first three sentences are truthful? A. Cathy did deny that she said that Nicole could handle the job better than Carole could. MR. KEIL: Is your answer finished? Q. Are the first three sentences — are the first two sentences in paragraph three truthful; yes or no? MR. KEIL: Just take them one at a time. MS. NICAI: I'll ask the questions. If you want to follow up with your witness, you can. You're more than free to. MR. KEIL: I object to the form of the question as being compound. A. I have already stated that I don't — the third statement that says — this statement,	22 18141000mm 2 3 181411000mm 3 4 18241000mm 5 5 182413100mm 6 18241000mm 9 18241000mm 10 182410000mm 10 18241000mm 10 182410000mm 10 1824100000mm 10 1824100000mm 10 1824100000mm 10 1824100000000000000000000000000000000000	Pat Orsaia A. You're asking me to recount the entire meeting again? Q. Apart from what you have already said; this was the sum and substance of what you recall about this meeting? A. Yes. Q. And when getting back to paragraph three, the second sentence states, "She" referring to Ms. Magone, " stated that she did say that Nicole was young and could take things in like a sponge." Do you see that? A. Yes. Q. That was truthful that Ms. Magone said at that meeting that she did say Nicole was young and could take things in like a sponge? A. Cathy did say she had used the word "young" in her initial discussion with Carole. And I remember her saying that part of what she meant was that Nicole was eager to learn and could take things in like a sponge. Q. Did Ms. Magone say what is contained in the second sentence of paragraph three?
12.100.000 4 12.100.000 5 12.100.000 10 12.100.000 11 12.1	learn exactly what my strengths are," I don't know that that is true. Q. Okay. So, with respect to paragraph three, the first two sentences — the first three sentences are truthful? A. Cathy did deny that she said that Nicole could handle the job better than Carole could. MR. KEIL: Is your answer finished? Q. Are the first three sentences — are the first two sentences in paragraph three truthful; yes or no? MR. KEIL: Just take them one at a time. MS. NICAI: I'll ask the questions. If you want to follow up with your witness, you can. You're more than free to. MR. KEIL: I object to the form of the question as being compound. A. I have already stated that I don't —	12/14/14/14 2 11/14/14/14 11/14/14/14/14 11/14/14/14/14/14/14/14/14/14/14/14/14/1	A. You're asking me to recount the entire meeting again? Q. Apart from what you have already said; this was the sum and substance of what you recall about this meeting? A. Yes. Q. And when getting back to paragraph three, the second sentence states, "She" referring to Ms. Magone, " stated that she did say that Nicole was young and could take things in like a sponge." Do you see that? A. Yes. Q. That was truthful that Ms. Magone said at that meeting that she did say Nicole was young and could take things in like a sponge? A. Cathy did say she had used the word "young" in her initial discussion with Carole. And I remember her saying that part of what she meant was that Nicole was eager to learn and could take things in like a sponge. Q. Did Ms. Magone say what is contained

	Case 7:07-cv-02861-CS Dogumen	Ţ	- Hiled-09/02/2008 - Page 51 of 53 91	
1	Pat Orsaia	1	1 Pat Orsaia	
пентин 2	question is, are those the words, the	17:20:01PM	2 say, this meeting concerns the comments you made	
привыми 3	precise words that Ms. Magone used?	1720.10PM	3 relating to Nicole Serra's selection?	
spr 4	, and the modeling.	4	4 A. No.	
. 5	A. I don't recall that as being an	12:20:26FM \$	 Q. Did you ever reduce this meeting in 	
12:16:22Mar	exact quote from Cathy Magone.	13.30.355m (6 writing?	
12:16:55My 7	Q. Did you ever dispute what	7	7 A. No.	
11:5557MK	Ms. Newmark wrote in the e-mail to you?	12:20:24Pu 8	G. Why not?	
12:10:5P4 9	A. Dispute in what sense?	12:20:20(14)	A. I didn't feel it was necessary.	
:::::::::: 10	Q. Did you relay and say, your	12.20;29PM 10	Q. Why didn't you believe it was	
12:15:0 0 11	recollection of the meeting was inaccurate?	12:20:30M 11	necessary?	
12×4× 12	A. No.	122007794 12	A. My role during this meeting was to	
1810-0074 13	Q. Do you recall anything else that was	12.20:10PM 13	facilitate the meeting between an employee who	
паныя ни 14	said by Ms. Newmark at this meeting?	122014194 14	had a concern and the person who could best	
12072000 15	A. Not that I recall, no.	1220/7/94 15		
тап <i>тэн</i> дм 16	Q. Do you recall anything else that was	12.2051MA 16		
12.17.01Рм 17	said by Ms. Magone at this meeting?	rzizissa 17	was shared between the two people was between a	
12121094 18	 I think that during this meeting, 	12203Mgm 18		
12:14:14:14 19	that when Cathy was speaking to Carole about her	122101Fic 19		
13:10:25РМ 20	assignment to the mental-health project, that	12230EN 20		
12 112799 21	Cathy made a statement to the effect that	21	A. No.	
12,1633Рш 22	regarding the mental-health project, that Carole	12:21:00mi 22	Q. You didn't see your role, apart from	
12:14:24994 23	had not advanced the project or been proactive,	12;21;10pm 23		
12-помен 24	or words to that effect, to make any progress on	192111494 24		
12:10:50pm 25	the project, to date.	12211 1874 25		
	COMPU-TRAN SHORTHAND REPORTING		COMPU-TRAN SHORTHAND REPORTING	
	90		92	
1	Pat Orsaia	1	Pat Orsaia	
12-18-50-PM 2	Q. Anything else that was said during	17.27.20Mg 2	Q. In connection with discrimination	
12.18.45PM 3	this meeting?	(5.5.138ibm 3	complaints, do you have any responsibilities?	
12 m 31 m 4	A. Not that I recall.	12313MHz 4	A. This was not, in my view, a formal	
17:10:00PM 5	Q. So, when you testified earlier that	122350 MM 5	complaint of discrimination.	
12-терлуу. 6	the issue at this meeting wasn't performance;			
	· ·	17.21.35РМ 6	Q. Where is there a requirement that	
12:10:1094 7	yet, Ms. Magone addressed several performance-	1721:35РМ 6	We have a second a second contract of the second	
12:19:14PM 8	· ·	-	there be a formal complaint of discrimination	
	yet, Ms. Magone addressed several performance-	19.31156PN 7		
12:19:04PW 8	yet, Ms. Magone addressed several performance- related matters, did you interrupt Ms. Magone at	19.31:54PN 7	there be a formal complaint of discrimination before in your view, that comes to terms with a formal complaint of discrimination?	
12/19/14994 8 12/19/14994 9 12/19/24994 10 12/19/24994 11	yet, Ms. Magone addressed several performance- related matters, did you Interrupt Ms. Magone at all at this point to say, that is not what this meeting is about? A. My statement is not that Cathy	10.31/34PM 7 12.31/34PM 8 12.31/45PM 9	there be a formal complaint of discrimination before in your view, that comes to terms with a	
12:19:1494 8 12:19:1494 9 12:19:2494 10 12:19:2494 11	yet, Ms. Magone addressed several performance- related matters, did you interrupt Ms. Magone at all at this point to say, that is not what this meeting is about?	19.31158/PW 7 12.3158/PW 8 12.3146/PW 9 13.23168/PW 10	there be a formal complaint of discrimination before in your view, that comes to terms with a formal complaint of discrimination? MR. KEIL: Objection as to	
12:19:1494 8 12:18:1858 9 12:18:2854 11	yet, Ms. Magone addressed several performance- related matters, did you Interrupt Ms. Magone at all at this point to say, that is not what this meeting is about? A. My statement is not that Cathy Magone addressed several performance issues in detail at this meeting.	1931/54PM 7 1231/34PM 8 1231-45PM 9 1231/46PM 10	there be a formal complaint of discrimination before in your view, that comes to terms with a formal complaint of discrimination? MR. KEIL: Objection as to form. MS. NICAJ: Withdrawn.	
12:19:1494 8 12:18:196% 9 12:192:196% 10 12:18:22794 11	yet, Ms. Magone addressed several performance- related matters, did you Interrupt Ms. Magone at all at this point to say, that is not what this meeting is about? A. My statement is not that Cathy Magone addressed several performance issues in detail at this meeting. Q. I'm not asking details. I'm asking,	10.31:34mi 7 12.01:40mi 8 12.21-40mi 9 13.21-40mi 10 12.21-40mi 11 12.21-40mi 12	there be a formal complaint of discrimination before in your view, that comes to terms with a formal complaint of discrimination? MR. KEIL: Objection as to form. MS. NICAJ: Withdrawn. Q. Where is the distinction drawn? Is	
12/19/19/9 8 12/19/19/9 9 12/19/19/9 10 12/19/29/9 11 12/19/29/9 12 12/19/29/9 13 12/19/29/9 14	yet, Ms. Magone addressed several performance- related matters, did you Interrupt Ms. Magone at all at this point to say, that is not what this meeting is about? A. My statement is not that Cathy Magone addressed several performance issues in detail at this meeting. Q. I'm not asking details, I'm asking, you mentioned several issues that were addressed	10.31:36mi 7 12.21:40mi 8 12.21:40mi 10 12.21:40mi 10 12.21:40mi 11 12.21:40mi 13	there be a formal complaint of discrimination before in your view, that comes to terms with a formal complaint of discrimination? MR. KEIL: Objection as to form. MS. NICAJ: Withdrawn.	
12/12/1999 8 12/12/1999 10 12/12/1999 11 12/12/1999 13 12/12/1999 13	yet, Ms. Magone addressed several performance- related matters, did you Interrupt Ms. Magone at all at this point to say, that is not what this meeting is about? A. My statement is not that Cathy Magone addressed several performance issues in detail at this meeting. Q. I'm not asking details. I'm asking,	1031/30PM 7 1231/30PM 8 1231/30PM 10 1231/30PM 11 1231/30PM 13 1231/30PM 13 1231/30PM 13	there be a formal complaint of discrimination before in your view, that comes to terms with a formal complaint of discrimination? MR. KEIL: Objection as to form. MS. NICAI: Withdrawn. Q. Where is the distinction drawn? Is there anywhere in the policies or procedures at Lawrence?	
12/19/19/94 8 12/19/19/94 9 10 12/19/99/94 11 12/19/99/94 12/19/99/94 13 12/19/99/94 14 12/19/99/94 15 12/19/99/94 16 12/19/99/94 17	yet, Ms. Magone addressed several performance- related matters, did you Interrupt Ms. Magone at all at this point to say, that is not what this meeting is about? A. My statement is not that Cathy Magone addressed several performance issues in detail at this meeting. Q. I'm not asking details, I'm asking, you mentioned several issues that were addressed by Ms. Magone concerning performance; right? A. No.	10.31:34mi 7 12.21:40mi 8 12.21:40mi 9 13.21:40mi 10 12.21:40mi 11 12.21:40mi 12 15.21:50mi 13 12.21:60mi 14 15.21:50mi 15	there be a formal complaint of discrimination before in your view, that comes to terms with a formal complaint of discrimination? MR. KEIL: Objection as to form. MS. NICAI: Withdrawn. Q. Where is the distinction drawn? Is there anywhere in the policies or procedures at	
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		Case 7:07-cv-02861-CS Document	-21-5 -	- Filed 09/02/2008 Page 52 of 53 - <u></u>
	1	ਿਝਤ Pat Örsaia	1 .	95
	,			Pat Orsaia
12:22:17#% 12:22:32PM	2	distinction, in any policies and procedures as to how to proceed?	13/26/06594	
1772.32494	4		dadistrui 3	A Time is not a Job action.
12.	-	MR. KEIL: Object as to	1225-41PM 4	Q. What is it?
11.	5	form, again.	12:25 41PM	A. Assignment of a project to a team
12.17 MPQ	7	A. If you're asking me, is there a	12 <i>9</i> 5(9)PM 6	member.
13:30:01MM	7	distinction written in the policy, in our	1226-4494 7	as welche and the print til file
12:22:04/94	B	nondiscrimination policy, as to when something	12294000 8	department.
12:22:58/94	2	should be reduced to writing, I'm not aware of	тальниты 9	Q. Assignments aren't generally
	10	any distinction.	10	perceived as job actions?
12:27:02PM		Q. Is there any distinction between	17/25/00/94 11	 A. No. This was not something that had
	12	formal and informal complaints of discrimination	1223 6174. 12	additional compensation attached to it. Or
12:22:00/94	13	contained in any policies or procedures at	12:50 03354: 13	promotional opportunity, or change of hours, or
122010996	14	Lawrence?	1255 mm 14	schedule. It was simply an additional duty.
12:22:14PM	15	A. There is, in the sexual-harassment	1225men 15	Q. You're saying that it would
\$2:23/\$4994	16	policy where there you're asking me if there	_{чиные} 16	typically involve a job action.
12:22:2774	17	is anything in any policy at Lawrence?	1220 MPH 17	What about in reference to claims
12:23.2479	18	Q. Yes.	12жене 18	that there have been age- or racist-related
\$2(23:24PM	19	 In the policy on sexual harassment, 	1225tt#pp 19	
12-21-3076	20	there was a form, actually, a formal written	12/28/15PM 20	. ·
17:23:32PW	21	form, complaint form, attached to that policy	1229017PM 21	A. Treated exactly the way I treated
12203096	22	that an employee could submit if they felt that	122111194 22	-
1232-10PM	23	sexual harassment was going on.	5225410v 23	clarification from the person who allegedly made
120E319EFF6 4	24	Q. That didn't apply to other forms of	12/25/24PM 24	· · · · · · · · · · · · · · · · ·
1223-4479	25	discrimination?	122627Au 25	reconcile when the person comes forward and says:
		COMPU-TRAN SHORTHAND REPORTING	ļ	COMPU-TRAN SHORTHAND REPORTING
		94	_	96
	1	Pat Orsaia	1	Pat Orsaia
	•			Fal Misala
1220;4874	2		1	
1723;45M	2	A. You're asking me if it was in the	12362894 Z	That was not my intent. I believe you used the
	2 3 4		12:26:28PM 2	That was not my intent. I believe you used the word out of context. Here is what I said. Here
17:23:40PM	2 3 4 5	A. You're asking me if it was in the policy, and I'm telling you that is the only one I'm aware of.	12362004 2 12362004 3 12362204 4	That was not my intent. I believe you used the word out of context. Here is what I said. Here is what I meant. And the fact is, you know, your
12:22:519M	2 3 4 5 6	A. You're asking me if it was in the policy, and I'm telling you that is the only one I'm aware of. Q. I'm asking you, did that form apply	12262894 2 3 12262894 4 12262894 5 C	That was not my intent. I believe you used the word out of context. Here is what I said. Here is what I meant. And the fact is, you know, your age played absolutely no part in this decision.
12:23:40PM 13:22:51PM 12:23:51PM	2 3 4 5 6 7	A. You're asking me if it was in the policy, and I'm telling you that is the only one I'm aware of. Q. I'm asking you, did that form apply to any other forms of discrimination?	1220020004 2 122002004 3 122002004 4 122002004 5	That was not my intent. I believe you used the word out of context. Here is what I said. Here is what I meant. And the fact is, you know, your age played absolutely no part in this decision. Q. Is that contained anywhere in
12:23:40PM 13:22:51PM 12:23:64PM	6	A. You're asking me if it was in the policy, and I'm telling you that is the only one I'm aware of. Q. I'm asking you, did that form apply to any other forms of discrimination? A. No. As I recall, the form	1228/28994 2 2238/2894 3 5258/28994 5 1228/28994 6 1228/28994 6	That was not my intent. I believe you used the word out of context. Here is what I said. Here is what I meant. And the fact is, you know, your age played absolutely no part in this decision. Q. Is that contained anywhere in writing?
12:23:40PM 13:22:01PM 12:23:02PM 12:23:04PM 12:23:04PM	6	A. You're asking me if it was in the policy, and I'm telling you that is the only one I'm aware of. Q. I'm asking you, did that form apply to any other forms of discrimination? A. No. As I recall, the form specifically was noted as being sexual-harassment	1220200004 2 122020004 3 572020004 4 122020004 5 122020004 7 1220200094 8	That was not my intent. I believe you used the word out of context. Here is what I said. Here is what I meant. And the fact is, you know, your age played absolutely no part in this decision. Q. Is that contained anywhere in writing? A. Is what contained anywhere in
12:22:510(A 12:22:510(A 12:22:510(A 12:22:540(A 12:22:	6 7 8	A. You're asking me if it was in the policy, and I'm telling you that is the only one I'm aware of. Q. I'm asking you, did that form apply to any other forms of discrimination? A. No. As I recall, the form specifically was noted as being sexual-harassment policy, for a harassment complaint.	122029994 2 12202099 3 12202094 4 12202094 5 12202094 6 12202094 8 9	That was not my intent. I believe you used the word out of context. Here is what I said. Here is what I meant. And the fact is, you know, your age played absolutely no part in this decision. Q. Is that contained anywhere in writing? A. Is what contained anywhere in writing?
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1222-4094 (222-6194 (222-6194 1222-6194 1222-6194 122-5694 122-60694 122-60694 122-60694	6 7 8 9	A. You're asking me if it was in the policy, and I'm telling you that is the only one I'm aware of. Q. I'm asking you, did that form apply to any other forms of discrimination? A. No. As I recall, the form specifically was noted as being sexual-harassment policy, for a harassment complaint. Q. So, how would an employee, who wanted to file any discrimination complaint that	1220200000 2 122020000 3 122020000 5 122020000 7 122020000 8 122020000 8 122020000 10 122020000 10 122020000 10 122020000 10	That was not my intent. I believe you used the word out of context. Here is what I said. Here is what I meant. And the fact is, you know, your age played absolutely no part in this decision. Q. Is that contained anywhere in writing? A. Is what contained anywhere in writing? Q. The procedure by which you just articulated how you handled these sorts of
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1222-1994 (222-1	6 7 8 9 10 11 12 13 4 5 6 7 8	A. You're asking me if it was in the policy, and I'm telling you that is the only one I'm aware of. Q. I'm asking you, did that form apply to any other forms of discrimination? A. No. As I recall, the form specifically was noted as being sexual-harassment policy, for a harassment complaint. Q. So, how would an employee, who wanted to file any discrimination complaint that had nothing to do with sexual harassment — either race, or gender, or age — go about following the procedures? A. Well, a discrimination complaint for any reason is typically attached to some sort of job action. So, if someone were to come forward and say, I applied for a promotion but didn't get	122020000 2 12202000 5 12202000 5 12202000 6 12202000 7 12202000 10 12202000 11 12202000 12 1220200 11 1220200 11 1220200 11 1220200 11 1220200 11 1220200 11 1220200 11 1220200 11 1220200 11 1220200 11 1220200 11 1220200 11 1220200 11 1220200 11 1220200 11 1220200 11 1220200 11 1220200 11	That was not my intent. I believe you used the word out of context. Here is what I said. Here is what I meant. And the fact is, you know, your age played absolutely no part in this decision. Q. Is that contained anywhere in writing? A. Is what contained anywhere in writing? Q. The procedure by which you just articulated how you handled these sorts of actions, as you said. A. Well, all of our policies say that the initial step is to try to resolve whatever the concern is. Q. There was the initial step; Ms. Newmark came to you? A. Yes.
1221-1294 1221-1294 1221-1294 1221-1294 1221-1294 1221-1294 1221-1294 1221-1294 1221-1294 1221-1294 1221-1294 1221-1294 1221-1294 1221-1294 1221-1294 1221-1294 1221-1294	6 7 8 9 10 11 12 3 4 5 6 7 8 9	A. You're asking me if it was in the policy, and I'm telling you that is the only one I'm aware of. Q. I'm asking you, did that form apply to any other forms of discrimination? A. No. As I recall, the form specifically was noted as being sexual-harassment policy, for a harassment complaint. Q. So, how would an employee, who wanted to file any discrimination complaint that had nothing to do with sexual harassment — either race, or gender, or age — go about following the procedures? A. Well, a discrimination complaint for any reason is typically attached to some sort of job action. So, if someone were to come forward and say, I applied for a promotion but didn't get it, or you know, some other action – I wasn't	122020000 2 12202000 3 12202000 4 12202000 5 12202000 7 122020000 10 12202000 11 12202000 12 12202000 12 12202000 12 12202000 12 12202000 15 122020000 15 122020000 15 122020000 15 122020000 15 122020000 15 1220200000 15 1220200000 15 1220200000 15 1220200000 15 1220200000 15 1220200000 15 1220200000 15 1220200000 15 1220200000 15 12202000000 15 1220200000 15 1220200000 15 12202000000 15 1220200000 15 1220200000 15 1220200000 15 1220200000 15 12202000000 15 12202000000 15 1220200000 15 1220200000 15 1220200000 15 1220200000 15 1220200000 15 1220200000 15 1220200000 15 1220200000 15 12202000000 15 12202000000 15 12202000000 15 12202000000 15 12202000000 15 12202000000 15 12202000000 15 122020000000 15 1220200000000000000000000000000000000	That was not my intent. I believe you used the word out of context. Here is what I said. Here is what I meant. And the fact is, you know, your age played absolutely no part in this decision. Q. Is that contained anywhere in writing? A. Is what contained anywhere in writing? Q. The procedure by which you just articulated how you handled these sorts of actions, as you said. A. Well, all of our policies say that the initial step is to try to resolve whatever the concern is. Q. There was the initial step; Ms. Newmark came to you? A. Yes. Q. Is that right?
1222-1094 1222-1094 1222-1094 1222-1094 1222-1094 1224-1	6 7 8 9 10 11 12 3 4 5 6 7 8 9	A. You're asking me if it was in the policy, and I'm telling you that is the only one I'm aware of. Q. I'm asking you, did that form apply to any other forms of discrimination? A. No. As I recall, the form specifically was noted as being sexual-harassment policy, for a harassment complaint. Q. So, how would an employee, who wanted to file any discrimination complaint that had nothing to do with sexual harassment — either race, or gender, or age — go about following the procedures? A. Well, a discrimination complaint for any reason is typically attached to some sort of job action. So, if someone were to come forward and say, I applied for a promotion but didn't get it, or you know, some other action - I wasn't hired into a particular position to begin with —	122020000 2 12202000 5 12202000 5 12202000 7 12202000 10 12202000 10 12202000 11 12202000 12 122020	That was not my intent. I believe you used the word out of context. Here is what I said. Here is what I meant. And the fact is, you know, your age played absolutely no part in this decision. Q. Is that contained anywhere in writing? A. Is what contained anywhere in writing? Q. The procedure by which you just articulated how you handled these sorts of actions, as you said. A. Well, all of our policies say that the initial step is to try to resolve whatever the concern is. Q. There was the initial step; Ms. Newmark came to you? A. Yes. Q. Is that right? A. Correct.
1222349M 1222349M 1222349M 1222349M 122336M 122439M 122439M 122439M 1122439M 112243M 11244M 11224M 1122	6 7 8 9 10 11 12 3 4 5 6 7 8 9 0 1	A. You're asking me if it was in the policy, and I'm telling you that is the only one I'm aware of. Q. I'm asking you, did that form apply to any other forms of discrimination? A. No. As I recall, the form specifically was noted as being sexual-harassment policy, for a harassment complaint. Q. So, how would an employee, who wanted to file any discrimination complaint that had nothing to do with sexual harassment — either race, or gender, or age — go about following the procedures? A. Well, a discrimination complaint for any reason is typically attached to some sort of job action. So, if someone were to come forward and say, I applied for a promotion but didn't get it, or you know, some other action – I wasn't hired into a particular position to begin with — and there was an accusation of some type of	122020000 2 12202000 5 12202000 5 12202000 6 12202000 7 12202000 10 12202000 11 12202000 12 13335200 11 12202000 15 12202000 15 12202000 17 12202000 17 12202000 17 12202000 17 12202000 17 12202000 17 12202000 17 12202000 17 12202000 17 12202000 17 12202000 17 12202000 17 12202000 17	That was not my intent. I believe you used the word out of context. Here is what I said. Here is what I meant. And the fact is, you know, your age played absolutely no part in this decision. Q. Is that contained anywhere in writing? A. Is what contained anywhere in writing? Q. The procedure by which you just articulated how you handled these sorts of actions, as you said. A. Well, all of our policies say that the initial step is to try to resolve whatever the concern is. Q. There was the initial step; Ms. Newmark came to you? A. Yes. Q. Is that right? A. Correct. Q. And then, she communicated after
12213194 12213194 12213194 12213194 12213194 12223194 122431 122431 122431 122431 122431 122431 122431 122431 122431 122431 122431 122431 122431 12	6 7 8 9 10 11 2 3 4 5 6 7 8 9 0 1 2	A. You're asking me if it was in the policy, and I'm telling you that is the only one I'm aware of. Q. I'm asking you, did that form apply to any other forms of discrimination? A. No. As I recall, the form specifically was noted as being sexual-harassment policy, for a harassment complaint. Q. So, how would an employee, who wanted to file any discrimination complaint that had nothing to do with sexual harassment — either race, or gender, or age — go about following the procedures? A. Well, a discrimination complaint for any reason is typically attached to some sort of job action. So, if someone were to come forward and say, I applied for a promotion but didn't get it, or you know, some other action - I wasn't hired into a particular position to begin with — and there was an accusation of some type of discrimination in employment practices, then, you	1220000000 2 122000000 5 122000000 5 122000000 6 122000000 7 122000000 10 1220000000 10 122000000 10 122000000 10 122000000 10 122000000 10 122000000 10 122000000 10 122000000 10 122000000 10 122000000 10 122000000 10 1220000000 10 1220000000 10 1220000000 10 1220000000 10 1220000000 10 1220000000 10 1220000000 10 1220000000 10 12200000000 10 1220000000 10 12200000000 10 12200000000 10 1220000000000	That was not my intent. I believe you used the word out of context. Here is what I said. Here is what I meant. And the fact is, you know, your age played absolutely no part in this decision. Q. Is that contained anywhere in writing? A. Is what contained anywhere in writing? Q. The procedure by which you just articulated how you handled these sorts of actions, as you said. A. Well, all of our policies say that the initial step is to try to resolve whatever the concern is. Q. There was the initial step; Ms. Newmark came to you? A. Yes. Q. Is that right? A. Correct. Q. And then, she communicated after she wasn't satisfied with your meeting with
1221249M 1221249M 1221249M 1221249M 1222249M 1222249M 1222249M 122229M 12222M 12222M 1222M 122M 1	67891011234567890123	A. You're asking me if it was in the policy, and I'm telling you that is the only one I'm aware of. Q. I'm asking you, did that form apply to any other forms of discrimination? A. No. As I recall, the form specifically was noted as being sexual-harassment policy, for a harassment complaint. Q. So, how would an employee, who wanted to file any discrimination complaint that had nothing to do with sexual harassmenteither race, or gender, or age go about following the procedures? A. Well, a discrimination complaint for any reason is typically attached to some sort of job action. So, if someone were to come forward and say, I applied for a promotion but didn't get it, or you know, some other action - I wasn't hired into a particular position to begin with - and there was an accusation of some type of discrimination in employment practices, then, you know, I would consider that a formal complaint.	122020000 2 12202000 5 12202000 5 12202000 6 12202000 7 12202000 10 12202000 11 12202000 12 12202000 15 122020000 15 122020000 15 122020000 15 1220200000 15 12202000000 15 1220200000 15 1220200000 15 1220200000000000000000000000000000000	That was not my intent. I believe you used the word out of context. Here is what I said. Here is what I meant. And the fact is, you know, your age played absolutely no part in this decision. Q. Is that contained anywhere in writing? A. Is what contained anywhere in writing? Q. The procedure by which you just articulated how you handled these sorts of actions, as you said. A. Well, all of our policies say that the initial step is to try to resolve whatever the concern is. Q. There was the initial step; Ms. Newmark came to you? A. Yes. Q. Is that right? A. Correct. Q. And then, she communicated after she wasn't satisfied with your meeting with Ms. Magone, she communicated that to you again;
1222349M 1222349M 1222349M 1223349M 1223349M 1224339M 1234339M 1234339M 1234339M 1234339M 1232339M 1233339M 123333M 123333M 12333M 1233M 1233M 1233M 1233M 1233M 1233M 1233M 1233M 1233M 123M 12	6 7 8 9 10 11 2 3 4 5 6 7 8 9 0 1 2 3 4	A. You're asking me if it was in the policy, and I'm telling you that is the only one I'm aware of. Q. I'm asking you, did that form apply to any other forms of discrimination? A. No. As I recall, the form specifically was noted as being sexual-harassment policy, for a harassment complaint. Q. So, how would an employee, who wanted to file any discrimination complaint that had nothing to do with sexual harassmenteither race, or gender, or age go about following the procedures? A. Well, a discrimination complaint for any reason is typically attached to some sort of job action. So, if someone were to come forward and say, I applied for a promotion but didn't get it, or you know, some other action - I wasn't hired into a particular position to begin with and there was an accusation of some type of discrimination in employment practices, then, you know, I would consider that a formal complaint, Q. Wasn't there a job action here?	122020000 2 12202000 5 12202000 5 12202000 5 12202000 10 12202000 10 12202000 10 12202000 11 12202000 12 1220200 15 1220200 15 1220200 15 1220200 15 1220200 17 1220200 17 1220200 17 1220200 17 1220200 17 1220200 17 1220200 17 1220200 17 1220200 17 12202000 17 1220200 17 1220	That was not my intent. I believe you used the word out of context. Here is what I said. Here is what I meant. And the fact is, you know, your age played absolutely no part in this decision. Q. Is that contained anywhere in writing? A. Is what contained anywhere in writing? Q. The procedure by which you just articulated how you handled these sorts of actions, as you said. A. Well, all of our policies say that the initial step is to try to resolve whatever the concern is. Q. There was the initial step; Ms. Newmark came to you? A. Yes. Q. Is that right? A. Correct. Q. And then, she communicated after she wasn't satisfied with your meeting with
1221249M 1221249M 1221249M 1221249M 1222249M 1222249M 1222249M 122229M 12222M 12222M 1222M 122M 1	6 7 8 9 10 11 2 3 4 5 6 7 8 9 0 1 2 3 4	A. You're asking me if it was in the policy, and I'm telling you that is the only one I'm aware of. Q. I'm asking you, did that form apply to any other forms of discrimination? A. No. As I recall, the form specifically was noted as being sexual-harassment policy, for a harassment complaint. Q. So, how would an employee, who wanted to file any discrimination complaint that had nothing to do with sexual harassmenteither race, or gender, or age go about following the procedures? A. Well, a discrimination complaint for any reason is typically attached to some sort of job action. So, if someone were to come forward and say, I applied for a promotion but didn't get it, or you know, some other action - I wasn't hired into a particular position to begin with and there was an accusation of some type of discrimination in employment practices, then, you know, I would consider that a formal complaint, Q. Wasn't there a job action here? Ms. Newmark wasn't appointed to the palliative-	122020000 2 12202000 5 12202000 5 12202000 6 12202000 7 12202000 10 12202000 11 12202000 12 12202000 15 122020000 15 122020000 15 122020000 15 1220200000 15 12202000000 15 1220200000 15 1220200000 15 1220200000000000000000000000000000000	That was not my intent. I believe you used the word out of context. Here is what I said. Here is what I meant. And the fact is, you know, your age played absolutely no part in this decision. Q. Is that contained anywhere in writing? A. Is what contained anywhere in writing? Q. The procedure by which you just articulated how you handled these sorts of actions, as you said. A. Well, all of our policies say that the initial step is to try to resolve whatever the concern is. Q. There was the initial step; Ms. Newmark came to you? A. Yes. Q. Is that right? A. Correct. Q. And then, she communicated after she wasn't satisfied with your meeting with Ms. Magone, she communicated that to you again; right? A. Yes, she did.
1222349M 1222349M 1222349M 1222349M 1222349M 122439M 122439M 122439M 1122439M 112243M 11224M	6 7 8 9 10 11 2 3 4 5 6 7 8 9 0 1 2 3 4 5	A. You're asking me if it was in the policy, and I'm telling you that is the only one I'm aware of. Q. I'm asking you, did that form apply to any other forms of discrimination? A. No. As I recall, the form specifically was noted as being sexual-harassment policy, for a harassment complaint. Q. So, how would an employee, who wanted to file any discrimination complaint that had nothing to do with sexual harassmenteither race, or gender, or age go about following the procedures? A. Well, a discrimination complaint for any reason is typically attached to some sort of job action. So, if someone were to come forward and say, I applied for a promotion but didn't get it, or you know, some other action - I wasn't hired into a particular position to begin with and there was an accusation of some type of discrimination in employment practices, then, you know, I would consider that a formal complaint, Q. Wasn't there a job action here?	122020000 2 12202000 5 12202000 5 12202000 7 12202000 10 12202000 11 12202000 12 12202000 12 12202000 15 122020000 15 122020000 15 122020000 15 122020000 15 122020000 15 122020000 15 122020000 15 122020000 15 122020000 15 122020000 15 122020000 15 122020000 15 122020000 15 122020000 15 122020000 15 122020	That was not my intent. I believe you used the word out of context. Here is what I said. Here is what I meant. And the fact is, you know, your age played absolutely no part in this decision. Q. Is that contained anywhere in writing? A. Is what contained anywhere in writing? Q. The procedure by which you just articulated how you handled these sorts of actions, as you said. A. Well, all of our policies say that the initial step is to try to resolve whatever the concern is. Q. There was the initial step; Ms. Newmark came to you? A. Yes. Q. Is that right? A. Correct. Q. And then, she communicated — after she wasn't satisfied with your meeting with Ms. Magone, she communicated that to you again; right?

			ase 7:07-cv-02861-CS	- Document (24-5		Filed 09/02/2008 Page 53 of 53	
	4	O		Dogument 2			99	
	1	_	Pat Orsaia			1	1 Pat Orsale	
12372HPM	2	- Q.	the state of the s		12:20:21998	2	2 A. I don't recall.	
12:27:28994	3		with you, Ms. Magone, and Ms. N	ewmark;	12302096	3	3 MS. NICAJ: Let's take a	
π·	4	right?			12:30:2000	4	4 short break.	
12.	5					5	5 (Recess held)	
(2.77.35Pu	6	Q. And she, again, communicated her				6	6 CONTINUED EXAMINATION BY MS. NICAJ:	
12.27.36PM	7	dissatisfac	ction of the results of it; is that		17:40:33PM	7	_	
45-35 Viber.	8	right?			12:40:344%	8	B meeting. Prior to the actual meeting with	
12:37:00(24)	9	A.	Yes.		18-49-377994	9	_	
12.27:43PM	44 1)			1248-41PM 10		<u>-</u>		
12,37,47 (84)						_		
12/29/DEPM	12	A.	After receiving this e-mall,	I went	12:41:5794	12	_	
12.31;05PM	13	back to C	athy Magone and advised her		12;48:54Fgu	13		
12:20;10/M	14	• -			12-41-51 FM		And Inchit Hat Methingly ever	
-12:20:1799	15		of Cathy's explanation and t		12-41-09-0		and side side has, quote, over the lact	
12211;21914	16		litlonal questions.		TO-PEONPM			
12383294	17	Q.	Did you communicate this in v	vritina	1 STATE SALES	17		
12/28/24 Pol	18	or verbally			32:AB.12FM			
17-3833RPM	19	Α.	I think I forwarded Carole's	e e-mail	ſ		The profession and procuriestry And Earl (126)	
12 202074 d	20	to Cathy.		o c man	12 45 14 19 4		The state of the s	
122204 2	21	Q.	Apart from forwarding that e-r	nail	12:49:16 0 94		A CONTRACT MITOR OF	
12243174 4	22	well, withd	_	11dii	12:49:1774		The state do the dame you	
usisani Z		•	You actually told Ms. Magone all		t≳4#3gpid		Men anyone area das September	
122030000 2			gs about Ms. Newmark's remainin		ns-desirem		and a second of the second of	
12.2 магры 2	_	concerns?	45 COOK I'IS. NEWINGIR'S LEMONIN	19	京44年		sere 2 mast note nad direct	i
enimin é			COMPUTEAN SUCETIANS D	-00:57:40	13:49:5090	25	manufacture of the state of the	
			COMPU-TRAN SHORTHAND RE				COMPU-TRAN SHORTHAND REPORTING	
	1		Pat Orsaia	98			100	
	,	٨		_		1	Pat Orsaia	
12.297474	7	A.	I don't recall if I spoke to h		12:A0:36PM	2	final meeting with Carole.	
12/29:04PM			what was in the e-mail, or fo		12:50:05PM	3	Q. Do you recall having any	
(2.29 map)	_		so that she could see the de	tall,	12:50 OFF#	4	communication with Ms. Magone, as you sit here	ľ
	5	herself.			12:50:11 M A	5	today, prior to what you term as the final	
12:05:1379	• •	Q.	So, when you said you advised	her,	12:00:13014	6	meeting with Ms. Newmark?	
12.39.30/M	_	_	accurate; is that right?	1	12:50:17PM	7	A. Yes, I recall speaking with Cathy	
	8	Α.	I'm sorry. Could you rephra	se the	12.50(2)(9)	8	about the fact that, in her estimation, Carole	
		question?]	12:50.39 PM	9	was not going to successfully complete her	
12,20:25(-) 1	_	Q.	When you told when you pre	viously	12-20-жилы 1		probationary period and that it was her decision,	
12m3ppi [1			at you advised Cathy Magone of		12-50 40PM 1		based on the attendance and ongoing performance	- 1
паняну Та			rk's continued concerns, that is a	rot	1250(17Pm 1		concerns, to separate employment.	
1226/2004 1	_	accurate; is	that right?		іглонты 1	_	Q. When did you communicate with	-
12-28999M 14	_	A.	Are we talking about subseq		12 50 50MM 1	4	Ms. Magone concerning that?	
1123 aru 1	5 ı	my receipt	of this e-mail dated Septemb	er 29th?	12 30.40Pm 1		A. I don't recall exactly, but it would	ļ
я <i>жо</i> м: 16	6	Q.	That's correct.	Ţ,	:2-50:500m 1	6	have been prior to the final meeting, because we	
17 12 mm	7	A.	When I say I advised Cathy,	what I	12.61:pppsy 1		would have scheduled a final meeting. So, I'm	
18 18:28:40 1 44			made her aware. Whether I		25100PM 1		sure we had to communicate about when and where	
120000 1S			oally, or forwarded Carole's e	mail to	251.00PM_ 1		we would meet with Carole.	<u> </u>
2000 20			y, or both, I don't recall	1	Zá18794 Z		Q. Do you recall what the communication	ĺ
₂₃₀ 21	l s	specifically	<i>.</i> .		251:1284 Z	_	was - was it by telephone, in person, via e-mail,	
22	2	Q.	Did you communicate apart fi		231:1576 2		some other form - with Ms. Magone?	
230mm 23	t ti	he e-mails,	did you communicate, by teleph		231299w 2 3		A. I don't recall that it was by	
24 www.			ith Ms. Magone about Ms. Newm		24 2512794 24			
23020 0 10 25		ontinued co			:5131PM 21		e-mail. To my best recall, it was probably a	
			OMPU-TRAN SHORTHAND REF			•	combination of telephone and perhaps brief,	
		<u> </u>		L118/6/200			COMPU-TRAN SHORTHAND REPORTING	- 1